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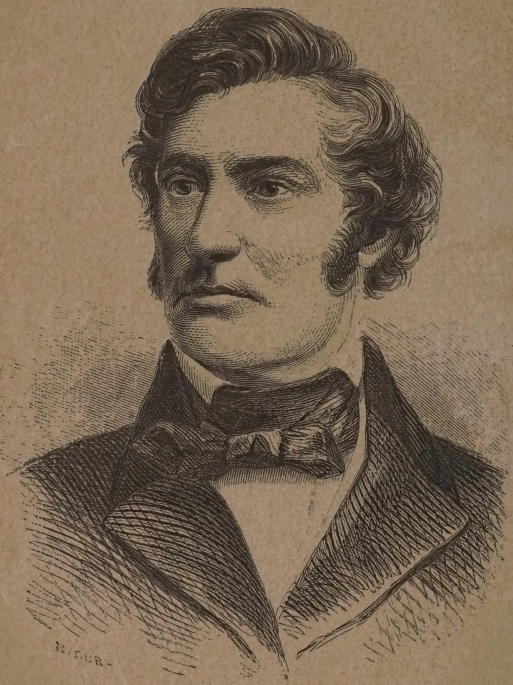
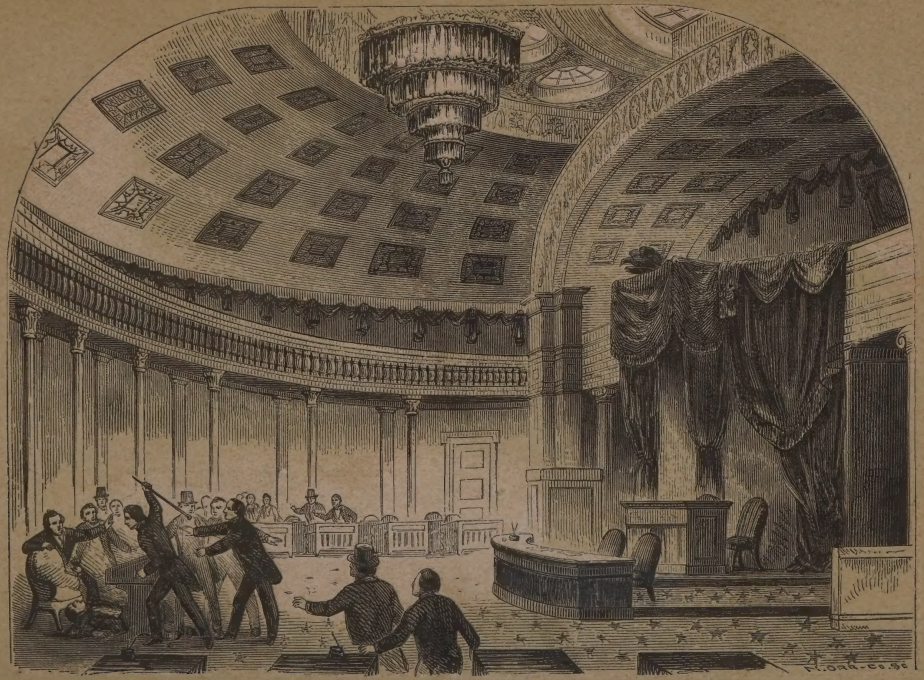


CHARLES SUMNER.

THE ASSAULT IN THE SENATE CHAMBER

CHARLES SUMNER.



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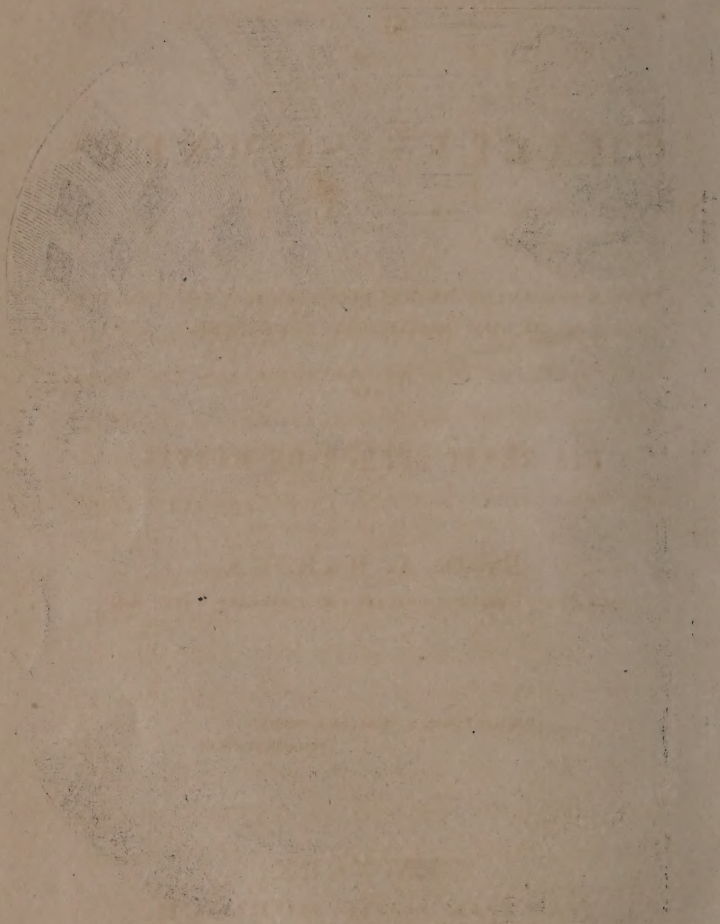

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THE LIFE

OF

CHARLES SUMNER:

WITH

CHOICE SPECIMENS OF HIS ELOQUENCE, A DELINEATION OF HIS ORATORICAL CHARACTER,

AND

HIS GREAT SPEECH ON KANSAS.

By D. A. HARSHA,
AUTHOR OF "EMINENT ORATORS AND STATESMEN," ETC., ETC.

"Where Liberty is, there is my country."
BENJAMIN FRANKLIN.

NEW YORK:
DAYTON AND BURDICK,
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1856.

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PREFACE.

In preparing the following brief Memoir of the Hon. Charles Sumner, we would mention three principal objects which we have had in view: 1st, The presentation of the leading events in his public life, in a chronological order; 2d, The introduction of the choicest specimens of his eloquence, especially those passages which best illustrate his character as an advocate of human rights, and, at the same time, afford the finest examples of his style of composition; and 3d, The delineation of his oratorical character.

The dates and circumstances connected with the delivery of his numerous orations and speeches are given, with comments on the passages quoted, particularly with regard to the style, the grandeur of their conception, or the happy and forcible illustration of their subjects. Nothing need be

said in commendation of the great speech on Kansas, which we have added as the masterpiece of Mr. Sumner. It speaks for itself, and we earnestly request every American citizen to peruse it carefully. The ingenuous reader will admire it as an eloquent production, a manly declaration of the noble sentiments of its author on an important question, and a glorious defence of Liberty in an oppressed Territory. It is full of the beautiful and sublime, grand in its diction, rich and instructive in its historical details, logical in its deductions, and powerful in its appeals.

In the Appendix will be found the scathing speech of Daniel Lord, Esq., delivered at the indignation meeting in New York, and the remarks made at the indignation meeting in Faneuil Hall, Boston, together with the speeches of Rev. Drs. Halley and Hague, at a similar meeting in Albany. We would here remark that the speeches of these distinguished clergymen are among the most eloquent and spirit-stirring that have been made on such occasions, and reflect much credit upon the genius and patriotism of their authors.

This biographical sketch, accompanied by an immortal speech, is now respectfully offered to

the public, in the hope that it may prove both interesting and instructive to the thousands of our citizens who are manifesting their sympathy for the stricken senator. Would that it were a more worthy tribute of honor to the man, whose blood, unrighteously shed, calls aloud to heaven and earth for avenging justice, and whose name shall be transmitted to the most distant posterity, among the noble army of martyrs to the cause of Liberty!

May the reader rise from the perusal of this volume with feelings of admiration for CHARLES SUMNER, the ripe scholar, the able lawyer, the eloquent orator, the accomplished statesman, the noble champion of FREEDOM.

ARGYLE, N. Y., *October*, 1856.

"Tell me not of rights—talk not of the property of the planter in his slaves. I deny the right--I acknowledge not the property. The principles, the feelings of our common nature, rise in rebellion against it. Be the appeal made to the understanding or to the heart, the sentence is the same that rejects it. In vain you tell me of laws that sanction such a claim! There is a law above all the enactments of human codes—the same throughout the world, the same in all times; it is the law written by the finger of God on the heart of man; and by that law, unchangeable and eternal, while men despise fraud, and loathe rapine and abhor blood, they will reject, with indignation, the wild and guilty phantasy that man can hold property in man."—LORD BROUGHAM.

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MEMOIR

OF

HON. CHARLES SUMNER.

CHAPTER I.

His birth—notice of his father—early education—wins several literary prizes—a close student of history—his youth—early associations—passage from Mr. Everett—remarks of Mr. Sumner on Boston—graduates at Harvard College—studies law—a diligent student—eloquent passage from Dr. Chalmers, on genius and industry—Mr. Sumner writes for the American Jurist—becomes its editor—admitted to the bar—practices in Boston—appointed reporter of the Circuit Court—lectures to the law students of Cambridge—edits an important law-book—his position as a lawyer.

Charles Sumner was born in Boston, Massachusetts, on the 6th of February, 1811. His father, Charles Pinckney Sumner, was born in 1776; was graduated at Harvard College, and studied law under Hon. George Richards Minot, and Hon. Josiah Quincy. He was a man of learning and abilities, and possessed a noble, philanthropic spirit. It is said that the happiness of mankind was his controlling passion. A simple anecdote will illustrate this:

"Shortly after he left college, an incident oc-

curred expressive of this character. He passed a winter in the West Indies. The vessel in which he was a passenger, happened to stop at the Island of Hayti, which was then rejoicing in its independence; and the officers and passengers, with other American citizens there, were invited to a public entertainment on the anniversary of the birthday of Washington, at which General Boyer, afterwards president of that republic, presided. Mr. Sumner, when called upon for a toast, gave the following: 'Liberty, Equality, and Happiness, to all men;' which so much pleased Boyer, that he sent one of his aids-de-camp to invite the young American to take the seat of honor by his side at the feast."

In 1798, at the age of twenty-two, he delivered the poem before the Phi Beta Kappa of Harvard College, and in 1800, pronounced a eulogy on Washington, which was included in an octavo volume entitled "Eulogies and Orations on Washington," intended to embrace the best tributes to the memory of the "Father of his Country." In 1825, he was appointed by Gov. Lincoln to the office of high sheriff of the county of Suffolk, Massachusetts—a station which he occupied till his decease in 1839.

Among other estimable qualities, Charles Pinckney Sumner was distinguished for his probity and

conscientious integrity. It is stated, that more than one person remarked of him, that they would trust their whole fortunes to him, without bond or security of any kind.

With regard to his literary character, we may also mention that he possessed respectable poetical talents. Some of his toasts at public festivals were expressed in verse, and were very felicitous. As a specimen, take the following, given July 4, 1826. "The United States: One and indivisible."

> "Firm like the oak may our blest Union rise,
> No less distinguished for its strength and size;
> The unequal branches emulous unite
> To shield and grace the trunk's majestic height;
> Through long succeeding years and centuries live,
> No vigor losing from the aid they give."

Another toast, which he gave on the 4th of July, 1828, in honor of Governor Lincoln, who was a practical farmer, deserves to be repeated here:

> "In China's realms, from earliest days till now,
> The well-loved emperor annual holds the plow;
> Here, too, our worthiest candidates for fame,
> With unsoiled honor, sometimes do the same.
> Upholding such, our yeomen's generous hearts
> Show a just reverence to the first of arts."

Mr. Sumner declined an invitation to become a candidate for Governor of Massachusetts. His memory will long be venerated by the patriotic citizens of his noble, native State.

In early life the subject of our memoir mani-

fested uncommon powers of intellect, and applied himself with indefatigable perseverance to the acquisition of useful knowledge, and to the improvement of his mind. His youthful years were thus profitably passed in collecting gems of wisdom and truth, and in laying the foundation of his future eminence as a scholar, and as an orator and statesman. He was carefully prepared for a collegiate course, at the Boston Latin School, where he acquired the reputation of a diligent and successful student. Indeed, so high were his literary attainments at this school that, at the end of his course, he won the prizes for English composition and Latin poetry, besides the Franklin medal.

It may here be stated that, among other studies which at this period engaged his attention, he was particularly delighted with history, a subject which he has ever since regarded with intense interest, and of which he has acquired a very accurate and extensive knowledge. It is said that while at the Boston Latin School, he would often rise before daylight to read Hume and Gibbon, and other celebrated historians. His mind was early replenished with the choicest passages and noblest expressions of ancient and modern writers, and these have been of eminent service to him while illustrating, defending, and enforcing the grand principles of justice and freedom.

As we shall yet have occasion to see, his speeches are full of classical allusions—of apt and beautiful comparisons and elucidations drawn from the sparkling fountains of antiquity. He also studied with much interest the manners and customs of different nations, and the chronology and mythology of the ancients.

The youth of Sumner was a pleasant season of rapid, intellectual development and progression in science and literature; and the remembrance of youthful associations has been delightful to him ever since, as it must be to those who have passed their early days in virtuous habits and correct mental discipline. In allusion to those tender associations of youth, which we all cherish to the evening of life, he some time since beautifully remarked:

"We incline, by a natural emotion, to the spot where we were born, to the fields which witnessed the sports of childhood, to the seat of youthful studies, and to the institutions under which we have been trained. The finger of God writes all these things, in indelible colors, on the heart of man; so that, in the dread extremities of death, he reverts, in fondness, to early associations, and longs for a draught of cold water from the bucket in his father's well."

In the same mingled strain of pathos and beau-

ty does the classical and accomplished Everett allude to the scenes of his own schoolboy days. In 1838, at a public festival at Exeter, where he had received his academical education, he remarked:

"It was my good fortune, to pass here but a portion of the year before I entered college; but I can truly say that even in that short time I contracted a debt of gratitude, which I have felt throughout my life. I return to these endeared scenes with mingled emotion. I find them changed; dwelling-places are no more on the same spots; old edifices have disappeared; new ones, both public and private, have been erected. Some of the respected heads of society whom I knew, though as a child, are gone. The seats in the Academy-room are otherwise arranged than formerly, and even there the places that once knew me know me no more. Where the objects themselves are unaltered, the changed eye and the changed mind see them differently. The streets seem narrower and shorter, the distances less considerable; this play-ground before us, which I remember as most spacious, seems sadly contracted But all, sir, is not changed, either in appearance or reality. The countenance of our reverend preceptor has undergone no change to my eye. It still expresses that *suaviter in modo* mentioned by the gentleman last up (Rev. Professor Ware,

Jun.), with nothing of the sternness of the other principle. It is thus I remember it; it was always sunshine to me. Nature, in the larger features of the landscape, is unchanged; the river still flows, the woods yield their shade as pleasantly as they did thirty years ago, doubly grateful for the contrast they afford to the dusty walks of active life; for the solace they yield in an escape, however brief, from its burdens and cares. As I stood in the hall of the Academy, last evening, and saw from its windows the river winding through the valley, and the gentle slope rising from its opposite bank, and caught the cool breeze that was scattering freshness after the sultry summer's day, I could feel the poetry of Gray, on revisiting, in a like manner, the scenes of his schoolboy days:

'Ah, happy hills! ah, pleasing shade!
Ah, fields beloved in vain!
Where once my careless childhood strayed,
A stranger yet to pain!
I feel the gales that from ye blow
A momentary bliss below,
As, waving fresh their gladsome wing,
My weary soul they seem to soothe,
And, redolent of joy and youth,
To breathe a second spring.'"

Mr. Sumner early manifested the strongest attachment to Boston, his native city. In a passage of uncommon beauty he shows this regard in a happy manner:

"Boston has always led the generous and magnanimous actions of our history. Boston led the cause of the Revolution. Here was commenced that discussion, pregnant with the independence of the colonies, which, at first occupying a few warm but true spirits only, finally absorbed all the best energies of the continent,—the eloquence of Adams, the patriotism of Jefferson, the wisdom of Washington. Boston is the home of noble charities, the nurse of true learning, the city of churches. By all these tokens she stands conspicuous, and other parts of the country are not unwilling to follow her example. Athens was called the eye of Greece,—Boston may be called the eye of America; and the influence which she exerts is to be referred, not to her size,—for there are other cities larger far,—but to her moral and intellectual character."

In 1830, Mr. Sumner was graduated at Harvard College, and the following year, entered the Law School of the same institution. His whole attention was now turned to the study of juridical science. Not trusting to genius alone, he inured his mind to incessant and hard study, and read all the legal authors of value which he met with. His labor in this respect was truly assiduous, as it was astonishing. We are informed that he never relied upon text-books, but sought original sources,

read all authorities and references, and made himself familiar with books of the common law, from the year-books, in uncouth Norman, down to the latest reports. It was said that he could go into the law library of which he was the librarian, and find in the dark any volume, if in its proper place.

In the early intellectual culture of Mr. Sumner, we have another exemplification of that acknowledged truth, that in order to lead any individual, however gifted he may be, to the highest literary eminence, labor, industry, and perseverance, must always accompany genius. This idea is beautifully unfolded by Dr. Chalmers in an admirable passage which we must here be permitted to quote at length :

"It is by dint of steady labor—it is by giving enough of application to the work, and having enough of time for the doing of it—it is by regular painstaking and the plying of constant assiduities—it is by these, and not by any process of legerdemain, that we secure the strength and the staple of real excellence. It was thus that Demosthenes, clause after clause, and sentence after sentence, elaborated, and that to the uttermost, his immortal orations ; it was thus that Newton pioneered his way, by the steps of an ascending geometry, to the mechanism of the heavens—after which, he left this testimony behind him, that he

was conscious of nothing else but a habit of patient thinking, which could at all distinguish him from other men. He felt that it was no inaccessible superiority on which he stood, and it was thus that he generously proclaimed it. It is certainly another imagination that prevails in regard to those who have left the stupendous monuments of intellect behind them—not that they were differently exercised from the rest of the species, but that they must have been differently gifted. It is their talent, and almost never their industry, by which they have been thought to signalize themselves; and seldom is it adverted to, how much it is to the more strenuous application of those common-place faculties which are diffused among all, that they are indebted for the glories which now encircle their remembrance and their name. It is felt to be a vulgarizing of genius that it should be lighted up in any other way than by a direct inspiration from heaven; and hence men have overlooked the steadfastness of purpose, the devotion to some single but great object, the unweariness of labor that is given, not in convulsive and preternatural throes, but by little and little as the strength of the mind may bear it,—the accumulation of many small efforts, instead of a few grand and gigantic but perhaps irregular movements on

the part of energies that are marvellous. Men have overlooked these as being indeed the elements to which genius owes the best and the proudest of her achievements. They cannot think that aught so utterly prosaic as patience, and painstaking, and resolute industry, have any share in the upholding of a distinction so illustrious. These are held to be ignoble attributes, never to be found among the demigods, but only among the drudges of literature: and it is certainly true, that in scholarship there are higher and lower walks. But still the very highest of all is a walk of labor. It is not by any fantastic jugglery, incomprehensible to ordinary minds, and beyond their reach—it is not by this that the heights of philosophy are scaled. So said he who towers so far above all his fellows; and whether viewed as an exhibition of his own modesty, or as an encouragement to others, this testimony of Sir Isaac may be regarded as one of the most precious legacies that he has bequeathed to the world."

While a student of law, Mr. Sumner wrote several excellent articles for the "American Jurist," and soon became editor of that important journal. After reading law for some time in the office of Benjamin Rand, Esq., a counsellor of Boston, he was admitted to the bar at Worcester, and com-

menced the practice of his profession in Boston, in 1834. He was shortly after appointed reporter to the Circuit Court, and published three volumes which are known as "Sumner's Reports." For three successive winters after his admission to the bar, during the absence of Professors Greenleaf and Story, he lectured to the law students at Cambridge, and for some time had the sole charge of the Dane School. These labors he performed with distinguished ability, and entire satisfaction to the students and faculty, and while in this capacity, gained for himself a valuable reputation. From this period he speedily advanced to the front rank in his profession, soon became eminent as a jurist, and attracted the admiration of such men as Chancellor Kent, Justice Story, and other renowned civilians.

In 1833, he ably and judiciously edited *A Treatise on the Practice of the Courts of Admiralty in Civil Causes of Maritime Jurisdiction, by Andrew Dunlap.* The valuable comments, which he added in the form of an appendix, contained as much matter as the original work. The editing of this treatise was undertaken in consequence of the illness of Mr. Dunlap, who stated on his deathbed that Mr. Sumner had worked over it "with the zeal of a sincere friend, and the accuracy of

an excellent lawyer." Indeed, Mr. Sumner's position in the legal world, at this time, was an enviable one: he was universally regarded as a young lawyer of exalted talent, brilliant genius, and commanding eloquence.

CHAPTER II.

Visit to Europe—letters of introduction—received in England with marked attention—attends the debates in Parliament—favorably received by members of the English Bar, &c.—visits Paris—writes a defence of the American claim to the Northeastern boundary—visits Italy—studies art and literature there—visits Germany—returns to Boston—again lectures in Cambridge—publishes an edition of Vesey's Reports—delivers his oration, entitled the True Grandeur of Nations—Judge Story's opinion of it—eloquent passage on the Reign of Peace.

In the autumn of 1837, Mr. Sumner visited Europe, where he remained till the spring of 1840, enjoying superior advantages of a literary nature, and adding largely to the number of his intellectual accomplishments.

The renowned Judge Story, who always cherished the highest regard for him, wrote a letter of introduction to a distinguished gentleman in London, in which he says:

"Mr. Sumner is a practising lawyer at the Boston bar, of very high reputation for his years, and already giving the promise of the most eminent distinction in his profession; his literary and judicial attainments are truly extraordinary. He is one of the editors—indeed, the principal editor of

the 'American Jurist,' a quarterly journal of extensive circulation and celebrity among us, and without a rival in America. He is also the reporter of the court in which I preside, and has already published two volumes of reports. His private character, also, is of the best kind for purity and propriety; but, to accomplish himself more thoroughly in the great objects of his profession,—not merely to practice, but to extend the boundaries in the science of law,—I am very anxious that he should possess the means of visiting the courts of Westminster Hall under favorable auspices; and I shall esteem it a personal favor if you can give him any facilities in this particular."

When he reached England, Mr. Sumner was received with marked distinction by eminent statesmen, lawyers, and scholars. During his stay in England, which was nearly a year, he closely attended the debates in Parliament, and heard all the great speakers of the day, many of whom he became intimately acquainted with. His deportment was so gentlemanly, his mind so vigorous and accomplished, and his address so winning, that he became a favorite with many in the best circles of English society. With regard to the pleasing qualities of Mr. Sumner in conversation, it has been well said, "We know not the man,

that is more lovable, companionable, and profitable, in social intercourse, than is Charles Sumner."

In writing to Mr. Sumner, while enjoying such advantages in England, Judge Story says in a letter, dated August 11, 1838:

"I have received all your letters, and have devoured them with unspeakable delight. All the family have heard them read aloud, and all join in their expressions of pleasure. You are now exactly where I should wish you to be,—among the educated, the literary, the noble, and, though last, not least, the learned of England, of good old England, our mother-land, God bless her! Your sketches of the bar and bench are deeply interesting to me, and so full that I think I can see them in my mind's eye. I must return my thanks to Mr. Justice Vaughan for his kindness to you; it has gratified me beyond measure, not merely as a proof of his liberal friendship, but of his acuteness and tact in the discovery of character. It is a just homage to your own merits. Your Old Bailey speech was capital, and hit, by stating sound truths, in the right way."

The most flattering attentions were shown to Mr. Sumner by distinguished members of the English bar and the bench, and while attending the courts at Westminster Hall, he was frequently

invited by the judges to sit by their side at the trials.

"At the meeting of the British Scientific Association, he experienced the same flattering attentions. In town and country, he moved freely in society, to which intelligence and refinement, wealth and worth, lend every charm and grace. Nor did the evidence of such respect and confidence pass away with his presence. Two years after his return from England, the *Quarterly Review*, alluding to his visit, stepped aside to say: 'He presents, in his own person, a decisive proof that an American gentleman, without official rank or wide-spread reputation, by mere dint of courtesy, candor, an entire absence of pretension, an appreciating spirit, and a cultivated mind, may be received on a perfect footing of equality in the best circles—social, political, and intellectual; which, be it observed, are hopelessly inaccessible to the itinerant note-taker, who never gets beyond the outskirts of the show-houses.' Eight years later yet, he received a compliment, which, from an English bench, is of the rarest occurrence. On an insurance question, before the Court of Exchequer, one of the counsel having cited an American case, Baron Parke, the ablest of the English judges, asked him what book he quoted. He replied, 'Sumner's Reports.' Baron Rolfe

said, 'Is that the Mr. Sumner who was once in England?' On receiving a reply in the affirmative, Baron Parke observed, 'We shall not consider it entitled to the less attention because reported by a gentleman whom we all knew and respected.' Not long ago, some of Mr. Sumner's estimates of war expenses were quoted by Mr. Cobden, in debate, in the House of Commons."

In Paris he was received with the same cordiality as in England, and was speedily admitted to a familiar intercourse with the highest intellectual classes.

"He attended the debates of the Chamber of Deputies, and the lectures of all the eminent professors in different departments, at the Sorbonne, at the College of France, and particularly in the Law School. He became personally acquainted with several of the most eminent jurists—with Baron Degerando, renowned for his works on charity; with Pardessus, at the head of commercial law; with Fœlix, editor of the 'Review of Foreign Jurisprudence;' and other famous men. He attended a whole term of the Royal Court at Paris, observing the forms of procedure; received kindness from the judges, and was allowed to peruse the papers in the cases. His presence at some of these trials was noticed in the reports in the law journals."

While residing in Paris, he became intimately acquainted with General Cass, the American minister, at whose request he wrote a masterly defence of the American claim to the northeastern boundary, which was received with much favor by our citizens, and republished in the leading journals of the day.

In Italy, Mr. Sumner devoted himself with the greatest ardor to the study of art and literature, and read many of the best works of that classic land, on history, politics, and poetry. In Germany, he was also received with that high regard which is justly paid to distinguished talent and transcendent genius. Here he formed an intimate acquaintance with those eminent jurists, Savigny, Thibaut, and Mittermaier. He was kindly received by Prince Metternich, and became acquainted with most of the professors at Heidelberg, and with many other individuals distinguished in science and literature, as Humboldt, Ranke, Ritter, &c.

With his mind richly stored with learning, Mr. Sumner returned from Europe in 1840. On reaching Boston, he met with a cordial reception, and immediately resumed the practice of his profession in his native city. He, however, did not engage in an extensive legal practice, as his chief attention at this time was turned to the science or lite-

rature of the law, a subject which, to Mr. Sumner, has always been invested with peculiar charms.

In 1843 he again occupied the chair as lecturer at the Cambridge Law School. In 1844–6 he edited an edition of Vesey's Reports in twenty volumes. This was a great undertaking, but was ably executed. The critical and explanatory notes which he contributed to the work, and the biographical sketches of eminent lawyers introduced, were exceedingly useful, and tended greatly to enhance the value of the original production. In noticing this work, the *Boston Law Reporter* speaks in the highest terms of the extensive professional resources of Mr. Sumner, and of the rare legal knowledge which he displayed in his editorial labors. It says:

"Wherever the occasion offers itself, the editorial note has been expanded, till it assumes something of the port and stature of a brief legal dissertation, in which the topics are discussed in the assured manner of one who feels that his foot is planted on familiar ground, and whose mind is so saturated with legal knowledge, that it readily pours it forth at the slightest pressure, reminding us of those first 'sprightly runnings' of the wine-press extracted by no force but the mere weight of the grapes. Mr. Sumner has also introduced a new element into his notes. We allude to his bio-

graphical notes of the eminent men whose names occur in the reports, either in a judicial or forensic capacity, and to his occasional historical, political, and biographical illustrations of the text. In what may be called the literature of the law,—the curiosities of legal learning—he has no rival among us."

On the 4th of July, 1845, Mr. Sumner delivered an oration before the authorities of the city of Boston, entitled *The true Grandeur of Nations.* This is an admirable production, and contains many passages of remarkable beauty and power, glowing with the noblest expressions which the art of oratory can exhibit. It is, indeed, a wondrous masterpiece of eloquence, and one of Mr. Sumner's finest oratorical efforts. Moulded in classic beauty, elegant in diction, and abounding in stirring sentiments and facts, it appeals to the heart with irresistible force. It is hardly necessary to add, that this oration, pronounced in those bewitching, musical tones of voice, for which Mr. Sumner is so distinguished, produced an overwhelming effect upon the audience, and was received with much applause. As an advocacy of the doctrine of universal peace among nations, we know of nothing of the kind which equals this effort in beauty of conception, force of argument, and elegance of composition. Judge Story, who

entertained different views from Mr. Sumner as to the justifiableness of war in some cases, wrote him in reference to his oration, as follows:

"It is certainly a very striking production, and will fully sustain your reputation for high talents, various reading, and exact scholarship. There are a great many passages in it which are wrought out with an exquisite finish, and elegance of diction, and classical beauty. I go earnestly and heartily along with many of your sentiments and opinions. They are such as befit an exalted mind and an enlarged benevolence. But from the length and breadth of your doctrine as to war, I am compelled to dissent. In my judgment, war is, under some (although I agree not under many) circumstances, not only justifiable, but an indispensable part of public duty; and if the reasoning which you have adopted be sound, it extends far beyond the limits to which you have now confined it. It is not, however, my intention to discuss the matter at all with you. I am too old to desire or even indulge in controversy. No one who knows you can doubt the entire sincerity with which you have spoken. All that I desire to claim is as sincere a conviction that, in the extent to which you seem to press your doctrines, they are not, in my judgment, defensible. In many parts of your discourse, I have been struck with

the strong resemblances which it bears to the manly enthusiasm of Sir James Mackintosh; but I think that he would have differed from you in respect to war, and would have maintained a moderation of views, belonging at once to his philosophy and his life."

One of the most elaborate and beautiful passages in this oration, is that depicting the glories of the universal reign of peace, which we hope is speedily to shower its blessings upon the world, and which at least is to prevail in the day of millennial glory, when human and divine knowledge shall extend over the whole earth, and when nation shall not lift up sword against nation, neither learn war any more. We delight to lay before our readers a passage so happy in its construction, and at the same time so just and pleasing in its sentiments:

"That Future, which filled the lofty visions of the sages and bards of Greece and Rome, which was foretold by the prophets and heralded by the evangelists, when man, in Happy Isles, or in a new Paradise, shall confess the loveliness of Peace, may be secured by your care, if not for yourselves, at least for your children. *Believe that you can do it, and you can do it.* The true golden age is before you, not behind you. If man has been driven once from Paradise, while an angel, with a flam-

ing sword, forbade his return, there is another Paradise, even on earth, which he may form for himself, by the cultivation of knowledge, religion, and the kindly virtues of life; where the confusion of tongues shall be dissolved in the union of hearts; and joyous Nature, borrowing prolific charms from the prevailing Harmony, shall spread her lap with unimagined bounty, and there shall be a perpetual jocund spring, and sweet strains borne on 'the odoriferous wing of gentle gales,' through valleys of delight, more pleasant than the Vale of Tempe, richer than the garden of the Hesperides, with no dragon to guard its golden fruit.

"Let it not be said that the age does not demand this work. The robber conquerors of the Past, from their fiery sepulchres demand it; the precious blood of millions unjustly shed in War, crying from the ground, demands it; the voices of all good men demand it; the conscience, even of the soldier, whispers 'Peace.' There are considerations, springing from our situation and condition, which fervently invite us to take the lead in this work. Here should bend the patriotic ardor of the land; the ambition of the statesman; the efforts of the scholar; the persuasive influence of the press; the mild persuasion of the sanctuary; the early teachings of the school. Here, in ampler

ether and diviner air, are untried fields for exalted triumphs, more truly worthy the American name, than any snatched from rivers of blood. War is known as the *Last Reason of Kings.* Let it be no reason of our Republic. Let us renounce, and throw off forever, the yoke of a tyranny more oppressive than any in the annals of the world. As those standing on the mountain-tops first discern the coming beams of morning, let us, from the vantage-ground of liberal institutions, first recognize the ascending sun of a new era! Lift high the gates, and let the King of Glory in,—the King of True Glory,—of Peace. I catch the last words of music from the lips of innocence and beauty: *

'And let the whole earth be filled with His Glory!'

"It is a beautiful picture in Grecian story, that there was at least one spot, the small Island of Delos, dedicated to the gods, and kept at all times sacred from War. No hostile foot ever sought to press this kindly soil; and the citizens of all countries here met, in common worship, beneath the ægis of inviolable Peace. So let us dedicate our beloved country; and may the blessed consecra-

* The services of the choir at the church, where the Oration was delivered, were performed by the youthful daughters of the public schools of Boston.

tion be felt, in all its parts, everywhere throughout its ample domain! The Temple of Honor shall be surrounded, here at last, by the Temple of Concord, that it may never more be entered through any portal of War; the horn of Abundance shall overflow at its gates; the angel of Religion shall be the guide over its steps of flashing adamant; while within its enraptured courts, purged of Violence and Wrong, Justice, returned to the earth from her long exile in the skies, with mighty scales for Nations as for men, shall rear her serene and majestic front; and by her side, greatest of all, Charity, sublime in meekness, hoping all and enduring all, shall divinely temper every righteous decree, and, with words of infinite cheer, shall inspire those Good Works that cannot vanish away. And the future chiefs of the Republic, destined to uphold the Glories of a new era, unspotted by human blood, shall be 'the first in Peace, and the first in the hearts of their countrymen.'

"But while seeking these blissful glories for ourselves, let us strive to extend them to other lands. Let the bugles sound the *Truce of God* to the whole world forever. Let the selfish boast of the Spartan women become the grand chorus of mankind, that they have never seen the smoke of an enemy's camp. Let the iron belt of martial

music, which now encompasses the earth, be exchanged for the golden cestus of Peace, clothing all with celestial beauty. History dwells with fondness on the reverent homage that was bestowed, by massacring soldiers, upon the spot occupied by the sepulchre of the Lord. Vain man! to restrain his regard to a few feet of sacred mould! The whole earth is the Sepulchre of the Lord; nor can any righteous man profane any part thereof. Let us recognize this truth, and now, on this Sabbath of our country, lay a new stone in the grand Temple of Universal Peace, whose dome shall be as lofty as the firmament of heaven, as broad and comprehensive as the earth itself."

This is certainly a finished passage, highly characteristic of Mr. Sumner, and one of the finest examples which his Peace orations afford for the study and admiration of ingenuous minds. May it inspire the young men of our land with a deep and abiding love of Peace, and lead them to cultivate the noble affection of benevolence.

CHAPTER III.

Spoken of as the successor of Judge Story in the Law School—Remarks of Story and Kent—Espouses the cause of freedom—Compared to Charles James Fox—Delivers a speech against the admission of Texas as a slave State—Extracts from the speech.

After the death of Judge Story, in 1845, Mr. Sumner was universally pointed out as his successor in the vacant professorship of the Law School, but he expressed a disinclination to accept the office, and consequently was not appointed. Such an appointment, if made, would have been in accordance with the wish of Story, who had frequently remarked, "I shall die content, so far as my professorship is concerned, if Charles Sumner is to succeed me." And here, on this point, we would add the opinion of another eminent jurist, Chancellor Kent, who declared that Mr. Sumner was "the only person in the country competent to succeed Story."

Mr. Sumner early espoused the cause of freedom —a cause which he has never ceased to vindicate, and which, to his noble, generous soul is dearer than life itself. Since 1845, when his political

career may be said to have fairly commenced, he has been the worthy champion for oppressed humanity—the uncompromising opponent of the institution of slavery.

The one grand end of his political life has been the same which actuated that noble British statesman, Charles James Fox, who expressly asserted that his great object was "to widen the basis of freedom—to infuse and circulate the spirit of liberty." From the pure fountain of liberty emanated the political principles of Fox, and it has been said, that he drew from this source the most inspiring strains of his eloquence. No English speaker, not even Lord Chatham himself, dwelt so often on this theme; no one had his generous sensibilities more completely roused; no one felt more strongly the need of a growing infusion of this spirit into the English government, as the great means of its strength and renovation. The same glorious principle, we repeat, has stirred the spirit of Charles Sumner, and been the occasion of some of his grandest efforts, and the most "inspiring strains of his eloquence."

We shall presently have occasion to lay before our readers some of his most forcible and eloquent appeals on the unspeakable evils of slavery, which, we fear, is destined to shake the fabric of our government to its centre, and which is at present the

foulest blot in our national character. On the 4th of November, 1845, during the agitation which prevailed through the north, in consequence of the proposed annexation of Texas as a slave State, Mr. Sumner delivered a thrilling speech at a public meeting in Faneuil Hall, Boston, against such an admission by which the slave power would be so widely extended. It was a speech worthy of its author, and of the great principles of liberty. In tones of glowing eloquence the speaker exclaimed:

"I cannot banish from my view the great shame and wrong of slavery. The Judges of our courts have declared it to be contrary to the law of nature, finding its support only in the positive enactments of men. Its horrors who can tell? Language fails in the vain effort to depict them.

"By the proposed measure, we not only become parties to the acquisition of a large population of slaves, with all the crime of slavery; but we open a new market for the slaves of Virginia and the Carolinas, and legalize a new slave-trade. A new slave-trade! Consider this well. You cannot forget the horrors of what is called 'the middle passage,' when the crowds of unfortunate human beings, stolen, and borne by sea far from their warm African homes, are pressed on shipboard into spaces of smaller dimensions for each than a

coffin. And yet the deadly consequences of this middle passage have been supposed to fall short of those which are sometimes undergone by the wretched caravans, driven from the exhausted lands of the Northern slave States to the sugar plantations nearer to the sun of the South. It is supposed that one-quarter part often perish in these removals. I see them, in imagination, on this painful passage, chained in bands or troops, and driven like cattle, leaving behind what has become to them a home and a country (alas! what a home, and what a country!)—husband torn from wife, and parent from child, and sold anew into a more direful captivity. Can this take place with our consent, nay, without our most determined opposition? If the slave-trade is to receive a new adoption from our country, let us have no part or lot in it. Let us wash our hands of this great guilt. As we read its horrors, may each of us be able to exclaim, with a conscience void of offence, 'Thou canst not say I did it.' *God forbid, that the votes and voices of the freemen of the North should help to bind anew the fetter of the slave!—God forbid, that the lash of the slave-dealer should be nerved by any sanction from New England! God forbid, that the blood which spirts from the lacerated, quivering flesh of the slave, should soil the hem of the white garments of Massachusetts!*"

The stirring appeal to Massachusetts which occurs in this address, we trust, will never be forgotten by her patriotic sons—descendants of the Pilgrim Fathers, and of those whose blood moistened the sod of Bunker Hill, of Lexington, of Concord, and of many a well-fought battle-field.

"Let Massachusetts, then, be aroused. Let all her children be summoned to join in this holy cause. There are questions of ordinary politics in which men may remain neutral; but neutrality now is treason to liberty, to humanity, and to the fundamental principles of our free institutions. Let her united voice, with the accumulated echoes of freedom that fill this ancient Hall, go forth with comfort and cheer to all who labor in the same cause everywhere throughout the land. Let it help to confirm the wavering, and to reclaim those who have erred from the right path. Especially may it exert a proper influence in Congress upon the representatives of the free States. May it serve to make them as firm in the defence of freedom as their opponents are pertinacious in the cause of slavery.

"Let Massachusetts continue to be known as foremost in the cause of freedom; and let none of her children yield to the fatal dalliance with slavery. You will remember the Arabian story of the magnetic mountain, under whose irresistible attrac-

tion the iron bolts which held together the strong timbers of a stately ship were drawn out, till the whole fell apart, and became a disjointed wreck. Do we not find in this story an image of what happens to many Northern men, under the potent magnetism of Southern companionship or Southern influence? Those principles, which constitute the individuality of the Northern character, which render it staunch, strong, and seaworthy, which bind it together, as with iron, are drawn out one by one, like the bolts from the ill-fated vessel, and out of the miserable loosened fragments is formed that human anomaly — *a Northern man with Southern principles. Such a man is no true son of Massachusetts.*"

CHAPTER IV.

Pronounces an oration before the Phi Beta Kappa Society of Harvard University—beautiful extracts—sentiment of John Quincy Adams—delivers a speech on the anti-slavery duties of the Whig party—glowing passages from this speech—delivers a brilliant lecture on white slavery in the Barbary States.

On the 27th of August, 1846, Mr. Sumner delivered an oration before the Phi Beta Kappa Society of Harvard University, entitled *The Scholar, the Jurist, the Artist, the Philanthropist*, in which we have touching and eloquent tributes to the memory of John Pickering, the scholar; Joseph Story, the jurist; Washington Allston, the artist; William Ellery Channing, the philanthropist. This beautiful oration, which is well worthy the study of the student and admirer of eloquence, as well as the lover of law, art, and literature, concludes in the following lofty strains:

"Thus have I attempted, humbly and affectionately, to bring before you the images of our departed brothers, while I dwelt on the great causes in which their lives were made manifest. Servants of Knowledge, of Justice, of Beauty, of Love, they have ascended to the great Source of Know-

lege, Justice, Beauty, Love. Each of our brothers is removed; but though dead, yet speaketh, informing our understandings, strengthening our sense of justice, refining our tastes, enlarging our sympathies. The body dies; but the page of the scholar, the interpretation of the jurist, the creation of the artist, the beneficence of the philanthropist, cannot die.

"I have dwelt upon their lives and characters, less in grief for what we have lost, than in gratitude for what we so long possessed, and still retain in their precious example. In proud recollection of her departed children, Alma Mater might well exclaim, in those touching words of parental grief, that she would not give her dead sons for any living sons in Christendom. Pickering, Channing, Story, Allston! A grand Quaternion! Each, in his peculiar sphere, was foremost in his country. Each might have said, what the modesty of Demosthenes did not forbid him to boast, that, through him, his country had been crowned abroad. Their labors were wide as the Commonwealth of Letters, Laws, Art, Humanity, and have found acceptance wherever these have dominion.

"Their lives, which overflow with instruction, teach one persuasive lesson, which speaks alike to all of every calling and pursuit,—not to live for

ourselves alone. They lived for knowledge, justice, beauty, humanity. Withdrawing from the strifes of the world, from the allurements of office, and the rage for gain, they consecrated themselves to the pursuit of excellence, and each, in his own vocation, to beneficent labor. They were all philanthropists; for the labors of all promoted the welfare and happiness of mankind.

"In the contemplation of their generous, unselfish lives, we feel the insignificance of office and wealth, which men so hotly pursue. What is office? and what is wealth? They are the expressions and representatives of what is present and fleeting only, investing their possessor, perhaps, with a brief and local regard. But let this not be exaggerated; let it not be confounded with the serene fame which is the reflection of important labors in great causes. The street lights, within the circle of their nightly scintillation, seem to outshine the distant stars, observed of men in all lands and times; but gas-lamps are not to be mistaken for the celestial luminaries. They who live only for wealth, and the things of this world, follow shadows, neglecting the great realities which are eternal on earth and in heaven. After the perturbations of life, all its accumulated possessions must be resigned, except those alone which have been devoted to God and mankind.

What we do for ourselves, perishes with this mortal dust; what we do for others, lives in the grateful hearts of all who know or feel the benefaction. Worms may destroy the body; but they cannot consume such a fame. It is fondly cherished on earth, and never forgotten in heaven.

"The selfish struggles of the crowd, the clamors of a false patriotism, the suggestions of a sordid ambition, cannot obscure that great commanding duty, which enjoins perpetual labor, without distinction of country, of color, or of race, for the welfare of the whole human family. In this mighty Christian cause, knowledge, jurisprudence, art, philanthropy, all are blessed ministers. More puissant than the sword, they shall lead mankind from the bondage of error into that service which is perfect freedom:

'Hæ, tibi erunt artes, *paçisque emponere morem.*'*

"Our departed brothers join in summoning you to this gladsome obedience. Their examples speak for them. Go forth into the many mansions of the house of life; scholars! store them with learning; —jurists! build them with justice—artists! adorn them with beauty—philanthropists! let them re-

* Æneid, VI., 852.—Dryden, translating this passage, introduces a duty which Virgil omits:

"The fettered slave set free,
These are imperial arts, and worthy thee!"

sound with love. Be servants of truth, each in his vocation; doers of the word and not hearers only. Be sincere, pure in heart, earnest, enthusiastic. A virtuous enthusiasm is always self-forgetful and noble. It is the only inspiration now vouchsafed to man. Like Pickering, blend humility with learning. Like Story, ascend above the present, in place and time. Like Allston, regard fame only as the eternal shadow of excellence. Like Channing, bend in adoration before the right. Cultivate alike the wisdom of experience and the wisdom of hope. Mindful of the future, do not neglect the past; awed by the majesty of antiquity, turn not with indifference from the future. True wisdom looks to the ages before us, as well as behind us. Like the Janus of the Capitol, one front thoughtfully regards the past, rich with experience, with memories, with the priceless traditions of virtue; the other is earnestly directed to the All Hail Hereafter, richer still with its transcendent hopes and unfulfilled prophecies.

"We stand on the threshold of a new age, which is preparing to recognize new influences. The ancient divinities of violence and wrong are retreating to their kindred darkness. The sun of our moral universe is entering a new ecliptic, no longer deformed by those images of animal rage, Cancer, Taurus, Leo, Sagittarius, but beaming

with mild radiance of those heavenly signs, Faith, Hope, and Charity:

'There's a fount about to stream,
There's a light about to beam,
There's a warmth about to glow,
There's a flower about to blow;
There's a midnight blackness changing
Into gray;
Men of thought, and men of action,
Clear the way.

'Aid the dawning, tongue and pen;
Aid it, hopes of honest men;
Aid it, paper; aid it, type;
Aid it, for the hour is ripe,
And our earnest must not slacken
Into play;
Men of thought, and men of action,
Clear the way.'

"The age of chivalry has gone. An age of humanity has come. The horse, whose importance, more than human, gave the name to that early period of gallantry and war, now yields his foremost place to man. In serving him, in promoting his elevation, in contributing to his welfare, in doing him good, there are fields of bloodless triumph, nobler far than any in which Bayard or Du Guesclin ever conquered. Here are spaces of labor, wide as the world, lofty as heaven. Let me say, then, in the benison once bestowed upon the youthful knight,—Scholars! jurists! artists! philanthropists! heroes of a Christian age, companions of a celestial knighthood, 'Go forth, be brave, loyal, and successful!'

"And may it be our office to-day to light a fresh beacon-fire on the venerable walls of Harvard, sacred to Truth, to Christ, and the Church,* —to Truth Immortal, to Christ, the Comforter, to the Holy Church Universal. Let the flame spread from steeple to steeple, from hill to hill, from island to island, from continent to continent, till the long lineage of fires shall illumine all the nations of the earth; animating them to the holy contests of knowledge, justice, beauty, love."

The beautiful sentiment of John Quincy Adams, proposed at a festival after the delivery of this oration, will, perhaps, occur to the mind of the reader :—"The memory of the scholar, the jurist, the artist, and the philanthropist; and not the memory, but the long life of the kindred spirit who has this day embalmed them all." A very appropriate sentiment for so splendid an effort.

On the 23d of September, 1846, Mr. Sumner delivered a speech of thrilling power and eloquence, before the Whig State Convention, at Faneuil Hall, in Boston, on the *Anti-Slavery duties of the Whig Party.* In this speech he boldly says :

"The time, I believe, has gone by, when the question is asked, What has the North to do with

* The legend on the early seal of Harvard University was *Veritas.* The present legend is *Christo et Ecclesiæ.*

Slavery? It might almost be answered, that, politically, it had little to do with any thing else, so are all the acts of our government connected, directly or indirectly, with this institution. Slavery is everywhere. It constitutionally enters the halls of Congress, in the disproportionate representation of the slave States. It shows its disgusting front in the District of Columbia, in the shadow of the capitol, under the legislative jurisdiction of the nation; of the north as well as the south. It sends its miserable victims on the high seas, from the ports of Virginia to the ports of Louisiana, beneath the protecting flag of the Republic. It follows into the free States, in pursuance of a provision of the Constitution, those fugitives, who, under the inspiration of freedom, seek our altars for safety; nay, more, with profane hands it seizes those who have never known the name of slave, colored freemen of the north, and dooms them to irremediable bondage. It insults and exiles from its jurisdiction the honored representatives of Massachusetts, who seek, as messengers of the Commonwealth, to secure for her colored citizens the peaceful safeguard of the laws of the Union. It not only uses the Constitution for its purposes, but abuses it also. It violates the Constitution at pleasure, to build up new slaveholding States. It seeks perpetually to widen its arena, while professing to extend the

arena of freedom. By the spirit of union among its supporters, it controls the affairs of government; interferes with the cherished interests of the north, enforcing and then refusing protection to her manufactures; makes and unmakes presidents; usurps to itself the larger portion of all offices of honor and profit, both in the army and navy, and also in the civil department; and stamps upon our whole country, the character, before the world, of that monstrous anomaly and mockery, a *slaveholding republic*, with the living truths of freedom on its lips, and the dark mark of slavery printed on its brow." * * * "It will not be questioned by any competent authority, that Congress may, by express legislation, abolish slavery, 1st, in the District of Columbia; 2d, in the territories, if there should be any; 3d, that it may abolish the slave-trade on the high seas between the States; 4th, that it may refuse to admit any new State, with a constitution sanctioning slavery. Nor can it be questioned that the people of the United States may, in the manner pointed out by the Constitution, proceed to its amendment. It is, then, by constitutional legislation, and even by an amendment of the Constitution, that slavery may be reached.

"And here the question arises, are there any *compromises* in the Constitution of such a charac-

ter as to prevent action on this subject? The word *compromises* is invoked by many honest minds as the excuse for not joining in this cause. Let me meet this question frankly and fairly. It is said that the Constitution of the United States was the result of a compromise between the free and the slave States, which it would be contrary to good faith to break. To this it might be replied, that the slave States, by their many violations of the Constitution, have already overturned all the original compromises, if there were any of a perpetual character. But I do not content myself with this answer. I wish to say, distinctly, that there is no compromise on the subject of slavery, of a character not to be reached *legally and constitutionally*, which is the only way in which I propose to reach it. Wherever power and jurisdiction are secured to Congress, they may unquestionably be exercised in conformity with the Constitution. And even in matters beyond existing powers and jurisdiction, there is a constitutional method of action. The Constitution contains an article pointing out how, at any time, amendments may be made thereto. This is an important element, giving to the Constitution a *progressive* character; and allowing it to be moulded to suit new exigencies and new conditions of feeling. The wise framers of this instrument did not treat the

country as a Chinese foot—never to grow after its infancy—but anticipated the changes incident to its growth. '*Provided*, that no amendment which may be made prior to the year 1808 shall in any manner affect the 1st and 4th clauses, in the 9th section of the 1st article, and that no State, without its consent, shall be deprived of its equal suffrage in the Senate.' These are the words of the Constitution. They expressly designate what shall be sacred from amendment, what compromises shall be perpetual; and in doing so, according to a familiar rule of law and of natural logic, virtually declare that the remainder of the Constitution may be amended. Already, since its adoption, twelve amendments have been made, and every year produces new projects. It has been pressed on the floor of Congress to abrogate the power of the veto, and also to limit the tenure of office of the President. Let it be distinctly understood, then, and this is my answer to the suggestion of binding compromises, that, in conferring upon Congress certain specified powers and jurisdiction, and also in providing for the amendment of the Constitution, its framers expressly established the means for setting aside what are vaguely called the compromises of the Constitution. They openly declare, 'Legislate, as you please, in conformity with the Constitution; and even make amendments in this instrument, ren-

dered proper by change of opinion or character following always the manner therein prescribed.'

"Nor can we dishonor the memories of the revered authors of the Constitution, by supposing that they set their hands to it, believing that slavery was to be *perpetual*—that the republic, which, reared by them to its giant stature, had snatched from heaven the sacred fire of freedom, was to be bound, like another Prometheus, in the adamantine chains of fate, while slavery, like another vulture, preyed upon its vitals. Let Franklin speak for them. He was President of the earliest 'Abolition Society' in the United States, and in 1790, only two years after the adoption of the Constitution, addressed a petition to Congress, calling upon them 'to step to the very verge of the power vested in them for discouraging every species of traffic in our fellow-men.' Let Jefferson speak for them. His desire for the abolition of slavery was often expressed with philanthropic warmth and emphasis. Let Washington speak for them. 'It is among my first wishes,' he said, in a letter to John Fenton Mercer, 'to see some plan adopted by which slavery in this country *may be abolished by law*.' And in his will, penned with his own hand, in the last year of his life, he bore his testimony again, by providing for the emancipation of all

his slaves. It is thus that Washington speaks, not only by words, but by actions louder than words, 'Give freedom to your slaves.' The father of his country requires, as a token of the filial piety which all profess, that his example should be followed. I am not insensible to the many glories of his character; but I cannot contemplate this act, without a fresh gush of admiration and gratitude. The martial scene depicted on that votive canvas may fade from the memories of men; but this act of justice and benevolence shall never perish:

'Et magis, magisque viri nunc gloria claret.'"

On the 17th of February, 1847, Mr. Sumner delivered a brilliant lecture before the Boston Mercantile Library Association, entitled *White Slavery in the Barbary States*, in which he depicts, in glowing colors, the horrors of that revolting custom of stealing and reducing white men to wretched and hopeless bondage, which so long prevailed in that unhappy country. This lecture is an extremely interesting one, and is full of startling facts and shocking details of cruelty. It is the production of a ripe scholar and a noble philanthropist, and should be studied by every free citizen who values the blessings of liberty.

CHAPTER V.

Pronounces an Oration before the Literary Societies of Amherst College—extracts—delivers an oration before the Phi Beta Kappa Society of Union College—splendid passages from this address—makes a speech before the Whig State Convention of Massachusetts, at Springfield—forcible passages quoted from this address—remarks.

On the 11th of August, 1847, Mr. Sumner pronounced a beautiful oration before the Literary Societies of Amherst College, on *Fame and Glory*, in which we have unanswerable arguments on the superior honors of peace. This subject was congenial to Mr. Sumner, and was ably and eloquently handled by him. In setting forth the common ideas of fame and glory, which have long prevailed among several nations, he says:

"It appears from the early literature of Spain, where chivalry found a favorite haunt, that brutality, assassination, and murder were often accounted glorious, and that adventure in robbery and promptitude in vengeance were favorite feats of heroism. The Life of the Valiant Cespedez, a Spanish knight of high renown, by Lope de Vega, reveals a succession of exploits, which were the

performances of a brawny porter and a bully. All the passions of a rude nature were gratified at will. Sanguinary revenge and inhuman harshness were his honorable pursuit. With a furious blow of his clenched fist, in the very palace of the Emperor at Augsburg, he knocked out the teeth of a heretic,—an achievement which was hailed with honor and congratulation by the Duke of Alva, and by his master, Charles the Fifth. Thus did a Spanish gentleman acquire Fame in the sixteenth century!*

"Such have been some of the objects of praise in other places and times. Such has been the glory achieved. Men have always extolled those characters and acts, which, according to their knowledge or ignorance, they were best able to appreciate. Nor does this rule fail in its application to our day. The ends of pursuit vary still, in different parts of the globe and among different persons; and Fame is awarded, in some places or by some persons, to conduct which elsewhere or by others is regarded as barbarous. The North American savage commemorates the chief who is able to hang at the door of his wigwam a heavy string of scalps, the spoils of war. The New Zealander honors the sturdy champion who slays and then eats his enemies. The cannibal of the

* Sismondi's Literature of the South of Europe, vol. iv. pp. 5–19.

Feejee Islands—only recently explored by an expedition from our shores—is praised for his adroitness in lying; for the dozen men he has killed with his own hand; for his triumphant capture, in battle, of a piece of tapa-cloth attached to a staff, not unlike one of our flags; and when he is dead, his club is placed in his hand, and extended across the breast, to indicate in the next world that the deceased was a chief and a warrior.* This is barbarous glory! But among the nations professing Christianity, in our day, there is a powerful public opinion which yields honor to conduct from which we turn with disgust, as we discern it among the savages of our forest, or the cannibals of the Pacific. The triumphs of animal strength and of brutish violence are hailed as worthy sources of renown. With a perverse insensibility to the relative value of different services, the chances and incidents of war are exalted above all the pursuits of peace. Victors, from a field moistened with a murdered brother's blood, are greeted with the grateful salutations that are justly due to those only who have triumphantly fulfilled the commandments on which hang all the law and the prophets. * * *

"The same mortification and regret with which

* Narrative of the United States Exploring Expedition, vol. iii. pp. 76, 80, 98.

we regard the dismal contest between the brothers of one household, the kinsmen of one ancestry, the citizens of one country, must attend the contemplation of every scene of strife; for are we not *all*, in a just and Christian sense, brethren of one household, kinsmen of one ancestry, citizens of one country—the world? It is clear, then, that no success in arms against our fellow-men—no triumph over brothers, who are flesh of our flesh and bone of our bone—no destruction of the life which God has given to his children—no assault upon his sacred image in the upright form and countenance of man—no effusion of the blood of any human being, *under whatever apology of necessity it may be vindicated*, can be the foundation of Christian Fame."*

On the 25th of July, 1848, Mr. Sumner delivered another glowing oration before the Phi Beta Kappa Society of Union College, Schenectady, entitled *The Law of Human Progress.* Presenting a history, recognition, and vindication of the great doctrine of the progress of the human race, this discourse displays in an admirable manner the exten-

* Ah! little did Mr. Sumner imagine, while uttering these truthful words, that he himself was to be the subject of a personal assault, as violent, cowardly, and brutal as has ever been committed in a legislative body in ancient or modern times—an outrage so inhuman that it utterly shocks the sensibilities of our nature, and one perpetrated, too, in the middle of the nineteenth century, in the American capital, and in the land of boasted freedom!

sive learning of its author, and the skill with which he employs his intellectual treasures to the attainment of the grand object in view. In speaking of the ancient and modern standards of civilization, he says, with much beauty and force:

"Without here undertaking to decide the question of the supremacy of Greek or Roman genius, as displayed in individual minds, it would be easy to show, that the ancient standard of civilization never reached the heights of many modern States. The people were ignorant, vicious, and poor, or degraded to abject slavery—slavery itself the sum of all injustice and all vice. And even the most illustrious characters, whose names still shine from that distant night with stellar brightness, were little more than splendid barbarians. Architecture, sculpture, painting, and vases of exquisite perfection, attested their appreciation of the beauty of form; but they were strangers to the useful arts, as well as to the comforts and virtues of home. Abounding in what to us are luxuries of life, they had not what to us are its necessaries.

"Without knowledge there can be no sure Progress. Vice and barbarism are the inseparable companions of ignorance. Nor is it too much to say, that, except in rare instances, the highest virtue is attained only through intelligence. And this is natural; for in order to do right, we must

first understand what is right. But the people of Greece and Rome, even in the brilliant days of Pericles and Augustus, were unable to arrive at this knowledge. The sublime teachings of Plato and Socrates—calculated in many respects to promote the best interests of the race—were restrained in their influence to the small company of listeners, or to the few who could obtain a copy of the costly manuscript in which they were preserved. Thus the knowledge and virtue, acquired by individuals, failed to be diffused in their own age or secured to posterity.

"But now at last, through an agency all unknown to antiquity, knowledge of every kind has become general and permanent. It can no longer be confined to a select circle. It cannot be crushed by tyranny or lost by neglect. It is immortal, as the soul from which it proceeds. This alone renders all relapse into barbarism impossible, while it affords an unquestionable distinction between Ancient and Modern Times. The Press, watchful with more than the hundred eyes of Argus—strong with more than the hundred arms of Briareus—not only guards all the conquests of civilization, but leads the way to future triumphs. Through its untiring energies, the meditations of the closet, or the utterances of the human voice, which else would die away within the precincts of a narrow

room, are prolonged to the most distant nations and times, with winged words circling the globe. We admire the genius of Demosthenes, of Sophocles, of Plato, and of Phidias; but the printing-press is a higher gift to man than the eloquence, the drama, the philosophy, and the art of Greece."

Farther on in this address we have another passage which happily illustrates the subject:

"Look at the cradles of the nations and races which have risen to grandeur, and learn from the barbarous wretchedness by which they were originally surrounded, that no lot can be removed from the influence of the Law of Progress. The Feejee Islander, the Bushman, the Hottentot, the Congo negro cannot be too low for its care. No term of imagined 'finality' can arrest it. The polished Briton, whose civilization we now admire, is a descendant, perhaps, of one of those painted barbarians, whose degradation still lives in the pages of Julius Cæsar. Slowly and by degrees, he has reached the position where he now stands; but he cannot be stayed here. The improvement of the Past is the earnest of still further improvement in the long ages of the Future. And who can doubt, that, in the lapse of time, as the Christian Law is gradually fulfilled, the elevation which the Briton may attain will be shared by all his fellow-men?

"The signs of improvement may appear at a

special period—in a limited circle only—among the people favored of God, who have enjoyed the peculiar benefits of commerce and of Christianity; but the blessed influence cannot be restrained to any time, to any place, or to any people. Every victory over evil redounds to the benefit of all. Every discovery, ever humane thought, every truth, when declared, is a conquest of which the whole human family are partakers. It extends by so much their dominion, while it lessens by so much the sphere of their future struggles and trials. Thus it is, while nature is always the same, the power of Man is always increasing. Each day gives him some new advantage. The mountains have not grown in size; but man has broken through their passes. The winds and waves are capricious ever, as when they first beat upon the ancient Silurian rocks; but the steamboat,

> 'Against the wind, against the tide,
> Now steadies on with upright keel.'

"The distance between two places upon the surface of the globe is the same to-day, as when the continents were first heaved from their ocean bed; but the inhabitants can now, by the art of man, commune together. Much still remains to be done; but the Creator did not speak in vain, when he blessed his earliest children, and bade them to multiply and replenish the earth, and *subdue* it."

The oration concludes with the following words of consolation and advice, which individuals and nations would do well to regard:

"And, finally, let a confidence in the Progress of our race be, under God, our constant faith. Let the sentiments of loyality, earth-born, which once lavished itself on King or Emperor, give place to that other sentiment, heaven-born, of devotion to Humanity. Let Loyalty to one Man be exchanged for Love to Man. And be it our privilege to extend these sacred influences throughout the land. So shall we open to our country new fields of peaceful victories, which shall not want the sympathies and gratulations of the good citizen, or the praises of the just historian. Go forth, then, my country, 'conquering and to conquer,' not by brutish violence; not by force of arms; not, oh! not, on dishonest fields of blood; but in the majesty of Peace, of Justice, of Freedom, by the irresistible might of Christian Institutions."

At Springfield, September 29, 1847, Mr. Sumner made a powerful speech at the Whig State Convention of Massachusetts, on *Political Action against the Slave Power and the Extension of Slavery.* In this address we find the following just and noble sentiments, which are well worthy of the serious consideration of all American citizens, north and south:

"And is not strange, Mr. President, that we, in this nineteenth century of the Christian era—in a country whose earliest charter declares that 'All men are born equal'—under a Constitution, one of whose express objects is, 'to secure the blessings of liberty'—is it not passing strange, that we should be now occupied in considering how best to prevent the opening of new markets in human flesh? Slavery, which has been expelled from distant despotic States, seeks shelter here by the altars of freedom. Alone in the company of nations does our country assume the championship of this hateful institution. Far away in the East, at 'the gateways of the day,' by the sacred waters of the Ganges, in effeminate India, Slavery has been condemned; in Constantinople, the queenly seat of the most powerful Mahomedan empire, where barbarism still mingles with civilization, the Ottoman Sultan has fastened upon it the stigma of disapprobation; the Barbary States of Africa have been changed into Abolitionists; from the untutored ruler of Morocco comes the expression of his desire, stamped in the formal terms of a treaty, that the very name of Slavery may perish from the minds of men; and only recently, from the Dey of Tunis has proceeded that noble act, by which, 'In honor of God, and to distinguish man from the brute creation'—I quote his own words—he decreed its

total abolition throughout his dominions. Let Christian America be willing to be taught by these despised Mahomedans. God forbid that our republic—'heir of all the ages, foremost in the files of time,—should adopt anew the barbarism and cruelty which they have renounced or condemned!

"The early conduct of our fathers, at the time of the formation of the Constitution, should be our guide now. On the original suggestion of Jefferson, subsequently sustained and modified by others, a clause was introduced into the fundamental law of the Northwest Territory, by virtue of which Slavery has been forever excluded from that extensive region. This act of wisdom and justice is a source of prosperity and pride to the millions who now live beneath its influence. And shall we be less true to the principles of freedom than the authors of that instrument? Their spirits encourage us to constant and uncompromising devotion to its cause. With the promptings from their example may properly mingle the words of that evangelist of Liberty, Lafayette, who, though born on a foreign soil, by his earnest labors, by his blood shed in our cause, by the friendship of Washington, by the gratitude of every American heart, is enrolled among the patriots and fathers of the land. His opinions of

Slavery have only recently been revealed to the world. From the pen of the philanthropist, Clarkson, we learn that his amiable nature was specially roused on this subject. 'He was a real gentleman,' says Clarkson, 'and of soft and gentle manners. I have seen him put out of temper, but never at any time except when Slavery was the subject.' To Clarkson, Lafayette said expressly, '*I would never have drawn my sword in the cause of America, if I could have conceived that thereby I was founding a land of slavery.*' Shall we, whom his sword helped to make free, now found a new land of Slavery? * * *

"With every new extension of Slavery, fresh strength is imparted to the political influence, monstrous offspring of Slavery, known as the Slave Power. This influence, beyond any other under our government, has deranged our institutions. To this the great evils which have afflicted the country—the different perils to the Constitution—may all be traced. The Missouri Compromise, the annexation of Texas, the war with Mexico, are only a portion of the troubles caused by the Slave Power. It is an ancient fable, that the eruptions of Etna were produced by the restless movements of the giant Enceladus, who was imprisoned beneath. As he turned on his side, or stretched his limbs, or struggled, the conscious

mountain belched forth flames, fiery cinders, and red-hot lava, carrying destruction and dismay to all who dwelt upon its fertile slopes. The Slave Power is the imprisoned giant of our Constitution. It is there confined and bound to the earth. But its constant and strenuous struggles have caused, and ever will cause, eruptions of evil to our happy country, in comparison with which, the flames, the fiery cinders, and the red-hot lava of the volcano are trivial and transitory. The face of nature may be blasted—the land may be struck with sterility—villages may be swept by floods of flame, and whole families entombed alive in its burning embrace; but all these evils shall be small by the side of the deep, abiding, unutterable curse of an act of national wrong.

"Let us, then, pledge ourselves, in the most solemn form, by united exertions, at least to restrain this destructive influence within its original constitutional bounds. Let us, at all hazards, prevent the extension of slavery, and the strengthening of the Slave Power. Our opposition must keep right on, and not look back:

> ——'Like the Pontic sea,
> Whose icy current and compulsive course
> Ne'er feels retiring ebb, but keeps due on
> To the Propontic and the Hellespont.'

In this contest, let us borrow from the example of the ancient Greek, who, when his hands were cut

off, fought with his stumps, and even with his teeth. Let us borrow from the example of the slaveholders themselves, who are united and uncompromising in their unholy cause. Let us struggle for Freedom as earnestly as they struggle for Slavery. Let us rally under our white pavilion, resplendent with the trophies of Justice, Freedom, and Humanity, as enthusiastically as they troop together beneath their black flag, pictured over with whips, chains, and manacles."

Should not such language stir up every freeman of the North to contend against an evil which has so long tarnished this Republic, and disgraced the name of Christian America? Shall we of the North tamely suffer the slave power to encroach and trample upon us, or shall we arise, and with united voice declare of that dark ocean of evil whose flood tide has been impelled over free soil, Thus far shalt thou come, but no farther; and here shall thy proud waves be stayed? Freemen of the North, it is for *you* to answer this momentous question. Awake, then, and declare, in fearless and determined tones, that the soil of that portion of our country which has not yet been sullied by slavery, shall be FREE FOREVER.

CHAPTER VI.

Delivers a Speech in a Mass Convention at Worcester, Massachusetts—extracts—delivers an address before the American Peace Society in Boston—admirable passages quoted from this effort—remarks, &c.

In a Mass Convention at Worcester, Mass., June 28, 1848, Mr. Sumner made an able speech, *For union among men of all parties against the Slave power and the extension of Slavery*, in which he says:

"As I reflect upon the transactions in which we are now engaged, I am reminded of an incident in French history. It was late in the night, at Versailles, that a courtier of Louis XVI., penetrating the bed-chamber of his master, and arousing him from his slumbers, communicated to him the intelligence—big with gigantic destinies—that the people of Paris, smarting under wrong and falsehood, had risen in their might, and, after a severe contest with the hireling troops, destroyed the Bastile. The unhappy monarch, turning upon his couch, said, 'It is an *insurrection*.' 'No, Sire,' was the reply of the honest courtier, 'it is a *revo-*

lution.' And such is our movement to-day. It is a REVOLUTION—not beginning with the destruction of a Bastile, but destined to end only with the overthrow of a tyranny, differing little in hardship and audacity from that which sustained the Bastile of France—I mean the Slave Power of the United States. Let not people start at this similitude. I intend no unkindness to individual slaveholders, many of whom are doubtless humane and honest. And such was Louis XVI.; and yet he sustained the Bastile, with the untold horrors of its dungeons, where human beings were thrust into companionship with toads and rats.

"By the Slave Power, I understand that combination of persons, or, perhaps, of politicians, whose animating principle is the perpetuation and extension of Slavery, and the advancement of slaveholders. That such combination exists, will be apparent from a review of our history. It shows itself, in the mildest and perhaps the least offensive form, in the undue proportion of offices under the Federal Constitution, which has been held by slaveholders. It is still worse apparent in the succession of acts by which the Federal Government has been prostituted to the cause of Slavery. Among the most important of these is the Missouri Compromise, the Annexation of Texas, and the War with Mexico. Mindful of the

sanctions, which Slavery derived under the Constitution—from the Missouri Compromise—of the fraud and iniquity of the Annexation of Texas—and of the great crime of waging an unnecessary and unjust war with Mexico—of the mothers, wives, and sisters, compelled to mourn sons, husbands, and brothers, untimely slain,—as these things, dark, dismal, atrocious, rise to the mind, may we not brand their author, the Slave Power, as a tyranny hardly less hateful than that which sustained the Bastile?

"This combination is unknown to the Constitution; nay, it exists in defiance of the spirit of that instrument, and of the recorded opinions of its founders. The Constitution was the crowning labor of the authors of the Declaration of Independence. It was established to perpetuate, in the form of an organic law, those rights which the Declaration had promulgated, and which the sword of Washington had secured—'We hold these truths to be self-evident—that all men are created equal, that they are endowed with certain inalienable rights,—that *among these are life, liberty, and the pursuit of happiness.*' Such are the emphatic words our country took upon its lips, when it first claimed its place among the nations of the earth. These were its baptismal vows. And the preamble of the Constitution renews them, when it declares

its objects to be, among other things, 'to establish justice, to promote the general welfare, and secure *the blessings of liberty* to ourselves and our posterity.' Mark, it is not to establish *injustice*—not to promote the welfare of a class, or a few slaveholders, but the *general* welfare; not to foster the curse of slavery, but to secure the blessings of *liberty*. And the declared opinions of the fathers were all in harmony with these instruments. 'I can only say,' said Washington, 'that there is not a man living, who wishes more sincerely than I do to see a plan adopted for the abolition of slavery; but there is only one proper and effectual mode by which it can be accomplished, and that is by legislative authority; and this, as far as my suffrage will go, shall not be wanting.' Patrick Henry, while confessing that he was a master of slaves, said, 'I will not, I cannot justify it. However culpable my conduct, I will so far pay my devoir to virtue, as to own the excellence and rectitude of her precepts, and lament my want of conformity to them. I believe a time will come, when an opportunity will be offered to abolish this lamentable evil.' And Franklin, as President of the earliest Abolition Society of the country, signed a petition to the first Congress, in which he declared that he 'considered himself bound to use all justifiable endeavors to loosen the bands of slavery, and pro-

mote a general enjoyment of the blessings of freedom.' Thus the soldier, the orator, and the philosopher of the Revolution, all unite in homage to Freedom. Washington, so wise in counsel and in battle; Patrick Henry, with his tongue of flame; Franklin, with his heaven-descended sagacity and humanity, all bear testimony to the true spirit of the times in which they lived, and of the institutions which they helped to establish.

"It is apparent that our Constitution was formed by the lovers of Human freedom; that it was animated by their divine spirit; that the institution of Domestic Slavery was regarded by them with aversion, so that, though covertly alluded to, it was not named in the instrument; and that they all looked forward to the day when this evil and shame would be obliterated from the land. Surely, then, it is right to say that the combination, whose object is to perpetuate and extend Slavery, is unknown to the Constitution, and exists in defiance of the spirit of that instrument, and the recorded opinions of its founders.

"Time would fail me to dwell on the growing influence, which it has exerted from the foundation of the government. In the earlier periods of our history it was moderate and reserved. The spirit of the founders still prevailed. But with the advance of time, and as these earlier champi-

ons passed from the scene, it became more audacious, aggressive, and tyrannical, till at last it has obtained the control of the government, and caused it to be administered, not in the spirit of Freedom, but in the spirit of Slavery. Yes! the government of the United States is now (let it be said with shame) not what it was at the beginning, a government merely permitting, while it regretted slavery, but a government openly favoring and vindicating it, visiting also with its displeasure all who oppose it.

"It is during late years that the Slave Power has introduced a new test for office—a test which would have excluded Washington, Jefferson, and Franklin. It applies an arrogant and unrelenting ostracism to all who express themselves against Slavery. And now, in the madness of its tyranny, it proposes to extend this curse to new soils not darkened by its presence. It seeks to make the flag of our country the carrier of Slavery into distant lands; to scale the mountain fastnesses of Oregon, and descend with its prey upon the shores of the Pacific; to cross the Rio Grande, and there, in broad territories, recently obtained by robber bands from Mexico, to plant a shameful institution, which that republic has expressly abolished."

The next most important oratorical effort of Mr. Sumner, is an address delivered on the 28th of

May, 1849, before the American Peace Society at its anniversary in Boston, on *The War System of the Commonwealth of Nations.* In the opening of this discourse we have the blessings of peace admirably set forth in the following graceful passage:

"Peace is the grand Christian charity, the fountain and parent of all other charities. Let Peace be removed, and all other charities sicken and die. Let Peace exert her gladsome sway, and all other charities quicken into celestial life. Peace is a distinctive promise and possession of Christianity. So much is this the case, that, where Peace is not, Christianity cannot be. There is nothing elevated which is not exalted by Peace. There is nothing valuable which does not contribute to Peace. Of wisdom herself it has been said, that all her ways are pleasantness, and all her paths are Peace. Peace has ever been the longing and aspiration of the noblest souls—whether for themselves or for their country. In the bitterness of exile, away from the Florence which he has immortalized by his Divine Poem, pacing the cloisters of a convent, in response to the inquiry of the monk,—'What do you seek?' Dante said, in words distilled from his heart, *Peace, peace.* In the memorable English struggles, while king and parliament were rending the

land, a gallant supporter of the monarchy, the chivalrous Falkland, touched by the intolerable woes of war, cried in words which consecrate his memory more than any feat of arms, *Peace, peace, peace.* Not in aspiration only, but in benediction is this word uttered. As the apostle went forth on his errand, as the son left his father's roof, the choicest blessing was, *Peace be with you.* As the Saviour was born, angels from Heaven, amidst quiring melodies, let fall that supreme benediction, never before vouchsafed to the children of the Human Family, *Peace on earth, and good will towards men.*"

With this passage let us contrast one in the same address, which exhibits the true character of the Institution of War. The passage is a choice one; indeed, we hardly know where to find its equal of a kindred nature, in ancient or modern literature. It excels in felicity of conception, and in beauty of construction, and presents one of the most graphic descriptions which the pencil of the orator or the man of letters has ever drawn. And it, moreover, affords an admirable illustration of Mr. Sumner's vivid and lofty imagination, and his happy art in the disposal of his varied intellectual attainments. We may add that it will, perhaps, be admired as long as the English language is spoken, and the cruel system of war de-

tested by Christian nations. It presents an excellent specimen of Mr. Sumner's style of composition, and reflects much credit upon his literary genius.

"I need not dwell on the waste and cruelty thus authorized. These stare us wildly in the face, wherever we turn, as we travel the page of history. We see the desolation and death that pursue War's demoniac footsteps. We look upon sacked towns, upon ravaged territories, upon violated homes; we behold all the sweet charities of life changed to wormwood and gall. Our soul is penetrated by the sharp moan of mothers, sisters, and daughters—of fathers, brothers, and sons, who, in the bitterness of bereavement, refuse to be comforted. Our eyes rest at last on one of those fair fields, where nature, in her abundance, spreads her cloth of gold, spacious and apt for the entertainment of mighty multitudes—or, perhaps, from the curious subtlety of its position, like the carpet in the Arabian tale, seeming to contract so as to be covered by a few only, or to dilate so as to receive an innumerable host. Here, under a bright sun, such as shone at Austerlitz or Buena Vista—amidst the peaceful harmonies of nature—on the Sabbath of Peace—we behold bands of brothers, children of a common Father, heirs to a common happiness, struggling together in the

deadly fight; with the madness of fallen spirits seeking with murderous weapons the lives of brothers who have never injured them or their kindred. The havoc still rages. The ground is soaked with their commingling blood. The air is rent by their commingling cries. Horse and rider are stretched together on the earth. More revolting than the mangled victims, than the gashed limbs, than the lifeless trunks, than the spattering brains, are the lawless passions which sweep, tempest-like, through the fiendish tumult.

'Nearer comes the storm and nearer,
Rolling fast and frightful on.
Speak, Ximena, speak and tell us,
Who has lost and who has won?
"Alas! alas! I know not;
Friend and foe together fall,
O'er the dying rush the living;
Pray, my sister, for them all!"

Horror-struck, we ask, wherefore this hateful contest? The melancholy, but truthful answer, comes, that it is the *established* method of determining justice between nations!

"The scene changes. Far away on the distant pathway of the ocean two ships approach each other, with white canvas broadly spread to receive the flying gales. They are proudly built. All of human art has been lavished in their graceful proportions, and in their well-compacted sides, while they look in dimensions like floating happy

islands of the sea. A numerous crew, with costly appliances of comfort, hives in their secure shelter. Surely those two travellers shall meet in joy and friendship; the flag at the mast-head shall give the signal of fellowship; the delighted sailors shall cluster in the rigging, and even on the yard-arms, to look each other in the face, while the exhilarating voices of both crews shall mingle in accents of gladness uncontrollable. It is not so. Not as brothers, not as friends, not as wayfarers of the common ocean, do they come together; but as enemies. The gentle vessels now bristle fiercely with death-dealing instruments. On their spacious decks, aloft on all their masts, flashes the deadly musketry. From their sides spout cataracts of flame, amidst the pealing thunders of a fatal artillery. They, who had escaped the dreadful touch of merchant-marring rocks; who on their long and solitary way had sped unharmed by wind or wave; whom the hurricane had spared; in whose favor storms and seas had intermitted their unmitigable war; now at last fall by the hand of each other. The same spectacle of horror greets us from both ships. On their decks, reddened with blood, the murders of St. Bartholomew and the Sicilian Vespers, with the fires of Smithfield, seem to break forth anew, and to concentrate their rage. Each has now become a swimming Golgotha. At length

these vessels—such pageants of the sea—once so stately, so proudly built—but now rudely shattered by cannon-balls—with shivered masts and ragged sails—exist only as unmanageable wrecks, weltering on the uncertain waves, whose temporary lull of peace is their only safety. In amazement at this strange, unnatural contest—away from country and home—where there is no country or home to defend—we ask again, wherefore this dismal duel? Again the melancholy, but truthful answer promptly comes, that this is the *established* method of determining justice between nations."

In a literary point of view, the reader of taste will derive pleasure from the perusal of this highly finished description of war, and the student of oratory will often turn to it with renewed delight. It furnishes young students in our schools and academies with an excellent piece for declamation, and conveys wholesome truths to all.

CHAPTER VII.

Delivers a Speech at the Free Soil State Convention—remarks on this effort—forcible extracts—Mr. Sumner ever true to the cause of Freedom.

On the 3d of October, 1850, Mr. Sumner delivered a most eloquent and impassioned speech at the Free Soil State Convention in Boston, on *Our present Anti-Slavery Duties.* This speech was delivered with overwhelming force, and was responded to by a whirlwind of enthusiasm, which has rarely been exceeded in the history of oratory. One writer states that it was received with "thunders of applause;" another adds, "It is the most graphic and eloquent address he has uttered." Those who were present on that occasion can never forget the music and melody of tone, the vehemence of manner, the gracefulness of action, and the majesty of countenance with which the speaker swayed and fascinated his audience. Never, perhaps, did Mr. Sumner rise to a higher pitch of eloquence than when he uttered some of the thrilling sentiments in which this speech abounds. He seemed to display all the grandeur

of oratory, while (to borrow the language of one, when describing a great oratorical effort of Daniel Webster) "eye, brow, each feature, every line of the face seemed touched, as with celestial fire. All gazed as at something more than human." All, we may add, were enchained by the irresistible might of his eloquence; for all felt that the speaker was sincere in his remarks—that his words came from the heart. It was a noble triumph of genuine oratory, one of the grandest that has ever swayed the feelings of a popular audience.

His indignant strictures on the Fugitive Slave Bill, which had but recently been passed, and his scathing remarks on Millard Fillmore who signed this iniquitous bill, possess a power which thrill the very soul. Let the following passage from this speech be carefully perused by every lover of freedom at the North. Candid reader, we ask you to consider these words:

"The soul sickens in the contemplation of this outrage. In the dreary annals of the past, there are many acts of shame—there are ordinances of monarchs, and laws, which have become a by-word and a hissing to the nations. But, when we consider the country and the age, I ask fearlessly, What act of shame, what ordinance of monarch, what law can compare in atrocity with this enact-

ment of an American Congress? I do not forget Appius Claudius, the tyrant Decemvir of ancient Rome, condemning Virginia as a slave; nor Louis XIV., of France, letting slip the dogs of religious persecution by the revocation of the edict of Nantes; nor Charles I., of England, arousing the patriot-rage of Hampden by the extortion of ship-money; nor the British Parliament, provoking, in our country, spirits kindred to Hampden, by the tyranny of the Stamp Act and the Tea Tax. I would not exaggerate; I wish to keep within bounds; but I think no person can doubt that the condemnation now affixed to all these transactions, and to their authors, must be the lot hereafter of the Fugitive Slave Bill, and of every one, according to the measure of his influence, who gave it his support. Into the immortal catalogue of national crimes this has now passed, drawing after it, by an inexorable necessity, its authors also, and chiefly him, who, as President of the United States, set his name to the Bill, and breathed into it that final breath without which it would have no life. Other Presidents may be forgotten; but the name signed to the Fugitive Slave Bill can never be forgotten. There are depths of infamy, as there are heights of fame. I regret to say what I must; but truth compels me. Better for him had he never been born! Better far for his mem-

ory, and for the good name of his children, had he never been President!

"Surely the love of Freedom cannot have so far cooled among us, the descendants of those opposing the Stamp Act, that we are insensible to the Fugitive Slave Bill. The unconquerable rage of the people in those other days, compelled the Stamp-distributors and inspectors to renounce their offices, and held up to detestation all who dared to speak in favor of the Stamps. And shall we be more tolerant of those who volunteer in favor of this Bill?—more tolerant of the slave-hunter, who, under its safeguard, pursues his prey upon our soil? The Stamp Act could not be executed here! Can the Fugitive Slave Bill?

"And here, sir, let me say, that it becomes me to speak with peculiar caution. It happens to me to sustain an important relation to this Bill. Early in professional life I was designated by the late Mr. Justice Story one of the Commissioners of the Courts of the United States, and though I have not very often exercised the functions of this post, yet my name is still upon the list. As such I am one of those before whom, under the recent Act of Congress, the panting fugitive may be brought for the decision of the question whether he is a freeman or slave. But while it becomes me to speak with caution, I shall not hesitate to speak with

plainness. I cannot forget that I am a man, although I am a Commissioner.

"Did the same spirit which inspired our fathers, inspire the community now, the marshals, and every magistrate who regarded this law as having any constitutional obligation, would resign rather than presume to execute it. This, however, is too much to expect from all at present. But I will not judge them. To their own consciences I leave them. Surely no person of humane feelings, and with any true sense of justice—living in a land 'where bells have tolled to church'—whatever may be the apology of public station, could fail to recoil from such service. For myself, let me say that I can imagine no office, no salary, no consideration, which I would not gladly forego, rather than become in any way an agent in enslaving my brother man. Where for me would be comfort and solace, after such a work? In dreams and in waking hours, in solitude and in the street, in the meditations of the closet, and in the affairs of men, wherever I turned, there my victim would stare me in the face; from the distant rice-fields and cotton-plantations of the South, his cries beneath the vindictive lash, his moans, at the thought of liberty once his, now, alas! ravished from him, would pursue me, telling the tale of his fearful doom, and sounding in my ears, 'Thou art the man!'

"Sir, I will not dishonor this home of the Pilgrims, and of the Revolution, by admitting—nay, I cannot believe—that this Bill will be executed here. Individuals among us, as elsewhere, may forget humanity in a fancied loyalty to law; but the public conscience will not allow a man, who has trodden our streets as a freeman, to be dragged away as a slave. By his escape from bondage, he has shown that true manhood, which must grapple to him every honest heart. He may be ignorant, and rude, as he is poor, but he is of true nobility. The Fugitive Slaves of the United States are among the heroes of our age. In sacrificing them to this foul enactment of Congress, we should violate every sentiment of hospitality, every whispering of the heart, every dictate of religion.

"There are many who will never shrink at cost, and notwithstanding all the atrocious penalties of this Bill, from efforts to save a wandering fellow-man from bondage; they will offer him the shelter of their houses, and if need be, will protect his liberty by force. But, let me be understood, I counsel no violence. There is another power—stronger than any individual arm—which I invoke; I mean that invincible Public Opinion, inspired by love of God and man, which, without violence or noise, gently as the operations of nature, makes and unmakes laws. Let this opinion be felt in its

Christian might, and the Fugitive Slave Bill will become everywhere upon our soil, a dead letter. No lawyer will aid it by counsel; no citizen will become its agent; it will die of inanition—like a spider beneath an exhausted receiver. Oh! it were well the tidings should spread throughout the land, that here, in Massachusetts, this accursed bill has found no servants. 'Sire, I have found in Bayonne honest citizens and brave soldiers only; but not one executioner,' was the reply of the governor of that place to the royal mandate of Charles IX., of France, ordering the massacre of St. Bartholomew.

"But it rests with you, my fellow-citizens, by your works and your words and your example, by your calm determinations and your devoted lives, to do this work. From a humane, just, and religious people, shall spring up a public opinion, to keep perpetual guard over the liberties of all within our borders. Nay, more, like the flaming sword of the cherubim at the gates of Paradise, turning on every side, it shall prevent any Slave-hunter from ever setting foot in this Commonwealth! Elsewhere, he may pursue his human prey; he may employ his congenial blood-hounds, and exult in his successful game. But into Massachusetts he must not come! And yet again I say, I counsel no violence. I would not touch his person. Not

with whips and thongs would I scourge him from the land. The contempt, the indignation, the abhorrence of the community, shall be our weapons of offence. Wherever he moves, he shall find no house to receive him—no table spread to nourish him—no welcome to cheer him. The dismal lot of the Roman exile shall be his. He shall be a wanderer, without roof, fire, or water. Men shall point at him in the streets, and on the highways:

> 'Sleep shall neither night nor day
> Hang on his pent-house lid;
> He shall live a man forbid.
> Weary seven nights, nine times nine,
> Shall he dwindle, peak, and pine.'

The villages, towns, and cities shall refuse to receive the monster; they shall vomit him forth, never again to disturb the repose of our community."

The grand aims of the Free Soil party are thus clearly stated in this address:

"It is a mistake to say, as is often charged, that we seek to interfere, through Congress, with Slavery in the States, or in any way to direct the legislation of Congress upon subjects not within its jurisdiction. Our *political* aims, as well as our *political* duties, are coextensive with our *political* responsibilities. And since we at the North are responsible for Slavery, wherever it exists under

the jurisdiction of Congress, it is unpardonable in us not to exert every power we possess to enlist Congress against it.

"Looking at details:

"We demand, first and foremost, the instant Repeal of the Fugitive Slave law.

"We demand the abolition of Slavery in the District of Columbia.

"We demand the exercise by Congress, in all Territories, of its time-honored power to prohibit Slavery.

"We demand of Congress to refuse to receive into the Union, any new Slave State.

"We demand the abolition of the domestic slave-trade, so far as it can be constitutionally reached; but particularly on the high seas under the National Flag.

"And, generally, we demand from the Federal Government the exercise of all its constitutional power to relieve itself from responsibility for Slavery.

"And yet one thing further must be done. The Slave Power must be overturned; so that the Federal Government may be put openly, actively, and perpetually on the side of Freedom."

In the conclusion of this speech Mr. Sumner points out, in language of surpassing beauty, the course of his own future political action, and states

the great cause which he would ever strive to maintain—the principles of Freedom.

"To vindicate Freedom, and to oppose Slavery, so far as I might constitutionally—with earnestness, and yet, I trust, without any personal unkindness, on my part—has been the object near my heart. Would that I could impress upon all who now hear me something of the strength of my own conviction of the importance of this work! Would that my voice, leaving this crowded hall to-night, could traverse the hills and valleys of New England, that it could run along the rivers and the lakes of my country, lighting in every humane heart a beacon-flame to arouse the slumberers throughout the land. In this cause I care not for the name by which I may be called. Let it be democrat, or 'loco-foco,' if you please. No man who is in earnest will hesitate on account of a name. I shall rejoice in any associates from any quarter, and shall ever be found with that party which most truly represents the principles of Freedom. Others may become indifferent to these principles, bartering them for political success, vain and short-lived, or forgetting the visions of youth in the dreams of age. Whenever I shall forget them, whenever I shall become indifferent to them, whenever I shall cease to be constant in maintaining them, through good report and evil

report, in any future combinations of party, then may my tongue cleave to the roof of my mouth, may my right hand forget its cunning!"

We all know with what ability and faithfulness Mr. Sumner has vindicated those principles which have just been stated, during his past senatorial career. Every one knows that he has never yet flinched from his duty in this respect. Up to the very time when his blood was spilled upon the Senate Chamber, by the hand of brutal violence, he was ever true to the great principles of Peace, Justice, and Freedom.

CHAPTER VIII.

Elected to the United States Senate—Letter of Acceptance—Speeches on the Iowa Railroad Bill—An extract—delivers his celebrated Speech in the Senate, entitled Freedom National, Slavery Sectional—passage quoted on Freedom of Speech—the Peroration—remarks.

On the 24th of April, 1851, Mr. Sumner was elected by the Massachusetts Legislature to the office of United States Senator, as the successor of Daniel Webster. In accepting this honorable post he addressed the following patriotic and eloquent letter to the Legislature, which was read in the Senate by Hon. Henry Wilson, President, and in the House of Representatives by Hon. N. P. Banks, Speaker.

"Fellow-citizens of the Senate and House of Representatives:

"I have received by the hands of the Secretary of the Commonwealth a certificate, that, by concurrent votes of the two branches of the Legislature, namely, by the Senate, on the 22d day of January, and by the House of Representatives, on the 24th day of April, I was duly elected, in con-

formity to the provisions of the Constitution and Laws of the United States, a Senator to represent the Commonwealth of Massachusetts, in the Senate of the United States, for the term of six years, commencing on the 4th day of March, 1851.

"If I were to follow the customary course, I should receive this in silence. But the protracted and unprecedented contest which ended in my election,—the interest it awakened,—the importance universally conceded to it,—the ardor of opposition and the constancy of support which it aroused,—also the principles, which more than ever among us, it brought into discussion, seem to justify, what my own feelings irresistibly prompt, a departure from this rule. If, beyond these considerations, any apology may be needed for thus directly addressing the Legislature, I may find it in the example of an illustrious predecessor, whose clear and venerable name will be a sufficient authority.*

"The trust conferred on me is one of the most weighty which a citizen can receive. It concerns the grandest interests of our own Commonwealth, and also of the Union whereof we are an indissoluble part. Like every post of eminent duty, it is a post of eminent honor. A personal ambition, such as I cannot confess, might be satisfied to pos-

* John Quincy Adams.

sess it. But when I think what it requires, I am obliged to say, that its honors are all eclipsed in my sight by its duties.

"Your appointment finds me in a private station, with which I am entirely content. But this is not all. For the first time in my life, I am now called to political office. With none of the experience so amply possessed by others, to smooth the way of labor, I might well hesitate. But I am cheered by the generous confidence, which, throughout a lengthened contest, persevered in sustaining me, and by the conviction that, amidst all seeming differences of party, the sentiments, of which I am the known advocate, and which led to my original selection as a candidate, are dear to the hearts of a large majority of the people of this Commonwealth. I derive, also, a most grateful consciousness of personal independence from the circumstance, which I deem it frank and proper thus publicly to declare and place on record, that this office comes to me, unsought and undesired.

"Acknowledging the right of my country to the service of her sons, wherever she chooses to place them, and with a heart full of gratitude that a sacred cause has been permitted to triumph through me, I now accept the post of Senator.

"I accept it as the servant of Massachusetts;

mindful of the sentiments solemnly uttered by her successive Legislatures; of the genius which inspires her history; and of the men, her perpetual pride and ornament, who breathed into her that breath of Liberty, which early made her an example to her sister States. In such a service, the way, though new to my footsteps, will be illumined by lights which cannot be missed.

"I accept it as the servant of the Union; bound to study and maintain, with equal patriotic care, the interests of all parts of our country; to discountenance every effort to loosen any of those ties by which our fellowship of States is held in fraternal company; and to oppose all *sectionalism*, whether it appear in unconstitutional efforts by the North to carry so great a boon as Freedom into the slave States, or in unconstitutional efforts by the South, aided by Northern allies, to carry the *sectional* evil of Slavery into the free States; or in whatsoever efforts it may make to extend the *sectional* domination of Slavery over the National Government. With me the Union is twice-blessed; first, as the powerful guardian of the repose and happiness of thirty-one sovereign States, clasped by the endearing name of country; and next, as the model and beginning of that all-embracing Federation of States, by which unity, peace, and concord will finally be organized among the na-

tions. Nor do I believe it possible, whatever may be the delusion of the hour, that any part thereof can be permanently lost from its well-compacted bulk. *E Pluribus Unum* is stamped upon the national coin, the national territory, and the national heart. Though composed of many parts united into one, the Union is separable only by a crash which shall destroy the whole.

"Entering now upon the public service, I venture to bespeak for what I may do or say that candid judgment, which I trust always to extend to others, but which I am well aware the prejudices of party too rarely concede. I may fail in ability; but not in sincere efforts to promote the general weal. In the conflicts of opinion, natural to the atmosphere of liberal institutions, I may err; but I trust never to forget the prudence which should temper firmness, or the modesty which becomes the consciousness of right. If I decline to recognize as my guides any of the men of to-day, I shall feel safe, while I follow the master principles which the Union was established to secure, and lean for support on the great triumvirate of American Freedom—Washington, Franklin, and Jefferson. And since true politics are simply morals applied to public affairs, I shall find constant assistance from those everlasting rules of right and wrong, which are a law alike

to individuals and communities; nay, which constrain the omnipotent God in self-imposed bonds.

"Let me borrow, in conclusion, the language of another: 'I see my duty; that of standing up for the liberties of my country; and whatever difficulties and discouragements lie in my way, I dare not shrink from it; and I rely on that Being, who has not left to us the choice of duties, that whilst I shall conscientiously discharge mine, I shall not finally lose my reward.' These are the words of Washington, uttered in the early darkness of the American Revolution. The rule of duty is the same for the lowly and the great; and I hope it may not seem presumptuous in one so humble as myself to adopt his determination, and to avow his confidence.

"I have the honor to be, fellow-citizens,

"With sincere regard,

"Your faithful friend and servant,

"CHARLES SUMNER.

"Boston, May 14, 1851."

Among his first important efforts in the Senate was his defence of the policy of Railroads, in the new and enterprising States of the West. On the 27th of January, 17th of February, and 16th of March, 1852, he spoke ably and efficiently on the Iowa Railroad Bill—a bill granting the right

of way, and making a grant of land to the State of Iowa, in aid of the construction of certain Railroads, in said State. While showing the great advantages which would be derived to the whole Union, from the construction of Railroads throughout the States and territories of the great West, he very beautifully and eloquently remarked:

"Thus much for what I have to say in favor of this bill, on the ground of *justice* to the States in which the lands lie. If this argument did not seem sufficiently conclusive to render any further discussion superfluous, at least from me, I might go forward, and show that the true interests of the whole country—of every State in the Union, as of Iowa itself—are happily coincident with this claim of justice.

"It will readily occur to all, that the whole country will gain by the increased value of the lands still retained and benefited by the proposed road. But this advantage, though not unimportant, is trivial by the side of the grander gains—commercially, politically, socially, and morally—which will necessarily accrue from the opening of a new communication, by which the territory beyond the Mississippi will be brought into connection with the Atlantic seaboard, and by which the distant post of Council Bluffs will become a suburb of Washington. It would be difficult to exaggerate the influence of roads as means of civilization.

This, at least, may be said: Where roads are not, civilization cannot be; and civilization advances as roads are extended. By these, religion and knowledge are diffused; intercourse of all kinds is promoted; the producer, the manufacturer, and the consumer, are all brought nearer together; commerce is quickened; markets are opened; property, wherever touched by these lines, is changed, as by a magic rod, into new values; and the great current of travel, like the stream of classic fable, or one of the rivers of our own California, hurries in a channel of golden sand. The roads, together with the laws, of ancient Rome, are now better remembered than her victories. The Flaminian and Appian Ways—once trod by returning proconsuls and tributary kings—still remain as beneficent representatives of her departed grandeur. Under God, the road and the schoolmaster are the two chief agents of human improvement. The education begun by the schoolmaster is expanded, liberalized, and completed, by intercourse with the world; and this intercourse finds new opportunities and inducements in every road that is built.

"Our country has already done much in this regard. Through a remarkable line of steam communications, chiefly by railroad, its whole population is now, or will be soon, brought close to the

borders of Iowa. The cities of the Southern seaboard —Charleston, Savannah, and Mobile—are already stretching their lines in this direction, soon to be completed conductors; while the traveller from all the principal points of the Northern seaboard —from Portland, Boston, Providence, New York, Philadelphia, Baltimore, and Washington—now passes without impediment to this remote region, traversing a territory of unexampled resources—at once a magazine and a granary—the largest coal-field, and at the same time the largest corn-field, of the known globe—winding his way among churches and school-houses, among forests and gardens, by villages, towns, and cities, along the sea, along rivers and lakes, with a speed which may recall the gallop of the ghostly horseman in the ballad:

'Fled past on right and left how fast
Each forest, grove, and bower!
On right and left fled past how fast
Each city, town, and tower!

'Tramp! tramp! along the land they speed,
Splash! splash! across the sea.'

"On the banks of the Mississippi he is now arrested. The proposed road in Iowa will bear the adventurer yet further, to the banks of the Missouri; and this distant giant stream, mightiest of the earth, leaping from its sources in the Rocky Moun-

tains, will be clasped with the Atlantic in the same iron bracelet. In all this I see not only further opportunities for commerce, but a new extension to civilization and increased strength to our National Union.

"A heathen poet, while picturing the golden age, has perversely indicated the absence of long lines of road as creditable to that imaginary period in contrast with his own. 'How well,' exclaimed the youthful Tibullus,* 'they lived while Saturn ruled—*before the earth was opened by long ways*:'

> 'Quam bene Saturno vivebant rege, priusquam
> Tellus *in longas est patefacta vias*.'

"But the true golden age is before us, not behind us; and one of its tokens will be the completion of those *long ways*, by which villages, towns, counties, states, provinces, nations, are all to be associated and knit together in a fellowship that can never be broken."

On the 26th of August, 1852, Mr. Sumner made one of his grandest efforts in behalf of human Freedom—his speech in the Senate of the United States, on his motion to repeal the Fugitive Slave Bill, entitled, *Freedom National, Slavery Sectional.*

* Opera, Lib. i. Eleg. 3, v. 35.

He was for a long time deprived of a hearing on this important subject, the pro-slavery members of the Senate having determined to *deny* and *trample* upon the freedom of speech on all questions touching slavery. Mr. Sumner at length seized the opportunity for which he had long been watching, when, according to the rules of the Senate, he might be heard without impediment, and addressed the Senate in a speech of remarkable compass, eloquence, and power. In the opening of this speech, he refers in lofty tones of bold and glowing eloquence to the proposition which had been made to trample upon the freedom of speech in public debate—a subject which has just elicited many stirring and forcible remarks from many of the ablest men in the country, in consequence of the brutal assault upon Mr. Sumner for exercising this great privilege, a privilege secured by the constitution, and without which no free government can exist. He says:

"But, sir, this effort is impotent as tyrannical. The convictions of the heart cannot be repressed. The utterance of conscience must be heard. They break forth with irrepressible might. *As well attempt to check the tides of ocean, the currents of the Mississippi, or the rushing waters of Niagara.* The discussion of Slavery will proceed, wherever two or three are gathered together—by the fire-

side, on the highway, at the public meeting, in the church. The movement against Slavery is from the Everlasting arm. Even now it is gathering its forces, soon to be confessed everywhere. It may not yet be felt in the high places of office and power; but all who can put their ears humbly to the ground, will hear and comprehend its incessant and advancing tread."

Having gone through with the discussion of the most important points involved in his motion, and having presented the subject in the clearest light, and defended it with unanswerable arguments, he closes as follows:

"Mr. President, I have occupied much time; but the great subject still stretches before us. One other point yet remains, which I should not leave untouched, and which justly belongs to the close. The Slave Act violates the Constitution and shocks the Public Conscience. With modesty, and yet with firmness, let me add, sir, it offends against the Divine Law. No such enactment can be entitled to support. As the throne of God is above every earthly throne, so are his laws and statutes above all the laws and statutes of man. To question these is to question God himself. But to assume that human laws are beyond question, is to claim for their fallible authors infallibility. To assume that they are always in conformity with the laws

of God is presumptuously and impiously to exalt man to an equality with God. Clearly human laws are not always in such conformity; nor can they ever be beyond question from each individual. Where the conflict is open, as if Congress should command the perpetration of murder, the office of conscience as final arbiter is undisputed. But in every conflict the same queenly office is hers. By no earthly power can she be dethroned. Each person, after anxious examination, without haste, without passion, solemnly for himself must decide this great controversy. Any other rule attributes infallibility to human laws, places them beyond question, and degrades all men to an unthinking passive obedience.

"According to St. Augustine, an unjust law does not appear to be a law; *lex esse non videtur quæ justa non fuerit:* and the great fathers of the Church, while adopting these words, declare openly that unjust laws are not binding. Sometimes they are called 'abuses,' and not laws; sometimes 'violences,' and not laws. And here again the conscience of each person is the final arbiter. But this lofty principle is not confined to the Church. A master of philosophy in early Europe, a name of intellectual renown, the eloquent Abelard, in Latin verses addressed to his son, has clearly expressed the universal injunction:

'Jussa potestatis terrenæ discutienda
Cœlestis tibi mox perficienda scias.
Siquis divinis jubeat contraria jussis
Te contra Dominum pactio nullo trahat.'

"The mandates of an earthly power are to be discussed; those of Heaven must at once be performed; nor can any agreement constrain us against God. Such is the rule of morals. Such, also, by the lips of judges and sages, has been the proud declaration of the English law, whence our own is derived. In this conviction patriots have fearlessly braved unjust commands, and martyrs have died.

And now, sir, the rule is commended to us. The good citizen, as he thinks of the shivering fugitive—guilty of no crime—pursued—hunted down like a beast, while praying for Christian help and deliverance, and as he reads the requirements of this Act, is filled with horror. Here is a despotic mandate, 'to aid and assist in the prompt and efficient execution of this law.' Again let me speak frankly. Not rashly would I set myself against any provision of law. This grave responsibility I would not lightly assume. But here the path of duty is clear. By the Supreme Law, which commands me to do no injustice; by the comprehensive Christian Law of Brotherhood; *by the Constitution, which I have sworn to support;* I AM BOUND TO DISOBEY THIS ACT. Never, in any capacity, can I render voluntary aid in its execution.

Pains and penalties I will endure; but this great wrong I will not do. 'I cannot obey; but I can suffer,' was the exclamation of the author of Pilgrim's Progress, when imprisoned for disobedience to an earthly statute. Better suffer injustice than do it. Better be the victim than the instrument of wrong. Better be even the poor slave, returned to bondage, than the unhappy Commissioner.

"There is, sir, an incident of history, which suggests a parallel, and affords a lesson of fidelity. Under the triumphant exertions of that Apostolic Jesuit, St. Francis Xavier, large numbers of the Japanese, amounting to as many as two hundred thousand—among them princes, generals, and the flower of the nobility—were converted to Christianity. Afterwards, amidst the phrensy of civil war, religious persecution arose, and the penalty of death was denounced against all who refused to trample upon the effigy of the Redeemer. This was the Pagan law of a Pagan land. But the delighted historian records that scarcely one from the multitude of converts was guilty of this apostasy. The law of man was set at naught. Imprisonment, torture, death, were preferred. Thus did this people refuse to trample on the painted image. Sir, multitudes among us will not be less steadfast in refusing to trample on the living image of their Redeemer.

"Finally, sir, for the sake of peace and tranquillity, cease to shock the Public Conscience; for the sake of the Constitution, cease to exercise a power which is nowhere granted, and which violates inviolable rights expressly secured. Leave this question where it was left by our fathers, at the formation of our national government, in the absolute control of the States, the appointed guardians of personal liberty. Repeal this enactment. Let its terrors no longer rage through the land. Mindful of the lowly whom it pursues; mindful of the good men perplexed by its requirements; in the name of charity, in the name of the Constitution, repeal this enactment, totally and without delay. Be inspired by the example of Washington. Be admonished by those words of Oriental piety: 'Beware of the groans of the wounded souls. Oppress not to the utmost a single heart; for a solitary sigh has power to overset a whole world.'"

Though this speech failed to accomplish the desired effect, yet, like the imperishable orations of Demosthenes, Cicero, Chatham, and Burke, it will be studied and admired by posterity, when, perhaps, the great national evils upon which it dwells shall have been forever banished the country.

CHAPTER IX.

Delivers a Speech at the Plymouth Festival—its peroration quoted —makes his memorable Speech in the Senate, The Landmark of Freedom; Freedom National—extracts—his final protest for himself and the Clergy of New England against Slavery in Nebraska and Kansas—his remarks on that occasion.

On the 1st of August, 1853, Mr. Sumner made a brilliant speech at the Plymouth Festival in commemoration of the embarkation of the Pilgrims. His remarks on that interesting occasion were particularly felicitous, glowing with the flame of patriotic eloquence. His address was truly a noble "*Finger-point from Plymouth Rock*," in the closing sentiments of which we have these words:

"Sir, if the honors of this day are not a mockery; if they do not expend themselves in mere selfish gratulation; if they are a sincere homage to the character of the Pilgrims—and I cannot suppose otherwise,—then is it well for us to be here. Standing on Plymouth Rock, at their great anniversary, we cannot fail to be elevated by their example. We see clearly what it has done for the

world, and what it has done for their fame. No pusillanimous soul here to-day will declare their self-sacrifice, their deviation from received opinions, their unquenchable thirst for liberty, an error or illusion. From gushing multitudinous hearts we now thank these lowly men that they dared to be true and brave. Conformity or compromise might, perhaps, have purchased for them a profitable peace, but not peace of mind; it might have secured place and power, but not repose; it might have opened a present shelter, but not a home in history and in men's hearts till time shall be no more. All will confess the true grandeur of their example, while, in vindication of a cherished principle, they stood alone, against the madness of men, against the law of the land, against their king. Better be the despised Pilgrim, a fugitive for freedom, than the halting politician, forgetful of principle, 'with a Senate at his heels.'

"Such, sir, is the voice from Plymouth Rock, as it salutes my ears. Others may not hear it. But to me it comes in tones which I cannot mistake. I catch its words of noble cheer:

'New occasions teach new duties; Time makes ancient good uncouth;
They must upward still and onward, who would keep abreast of Truth:
Lo, before us gleam her camp-fires! we ourselves must Pilgrims be,
Launch our Mayflower, and steer boldly through the desperate winter sea.'"

The next great senatorial effort of Mr. Sumner was his speech against the repeal of the Missouri prohibition of Slavery north of 36° 30′ in the Nebraska and Kansas Bill, delivered in the Senate, February 21, 1854. This speech, which is known by the title of *The Landmark of Freedom; Freedom National*, is one of the ablest and most earnest vindications of national justice ever made in a legislative body. The opening remarks, which we quote, are very forcible and eloquent, and afford an excellent example of Mr. Sumner's character as a lover of right and a defender of freedom.

"Mr. President: I approach this discussion with awe. The mighty question, with its untold issues, oppresses me. Like a portentous cloud, surcharged with irresistible storm and ruin, it seems to fill the whole heavens, making me painfully conscious how unequal I am to the occasion—how unequal, also, is all that I can say, to all that I feel.

"In delivering my sentiments here to-day, I shall speak frankly—according to my convictions, without concealment or reserve. But if any thing fell from the Senator from Illinois [Mr. Douglas], in opening this discussion, which might seem to challenge a personal contest, I desire to say that I shall not enter upon it. Let not a word or a tone pass my lips, to direct attention, for a moment,

from the transcendent theme,—by the side of which Senators and Presidents are but dwarfs. I would not forget those amenities which belong to this place, and are so well calculated to temper the antagonism of debate; nor can I cease to remember and to feel, that, amidst all diversities of opinion, we are the representatives of thirty-one sister republics, knit together by indissoluble tie, and constituting that Plural Unit, which we all embrace by the endearing name of country.

"The question presented for your consideration is not surpassed in grandeur by any which has occurred in our national history since the Declaration of Independence. In every aspect it assumes gigantic proportions, whether we simply consider the extent of territory it concerns, or the public faith and national policy which it assails, or that higher question—that *Question of Questions*,—as far above others as Liberty is above the common things of life—which it opens anew for judgment.

"It concerns an immense region, larger than the original thirteen States, vying in extent with all the existing free States—stretching over prairie, field, and forest—interlaced by silver streams, skirted by protecting mountains, and constituting the heart of the North American continent—only a little smaller, let me add, than the three great European countries combined—Italy, Spain, and

France—each of which, in succession, has dominated over the globe. This territory has already been likened, on this floor, to the Garden of God. The similitude is found, not merely in its present pure and virgin character, but in its actual geographical situation, occupying central spaces on this hemisphere, which, in their general relations, may well compare with that early Asiatic home. We are told that,

'Southward through Eden went a river large;'

so here a stream flows southward which is larger than the Euphrates. And here, too, amidst all the smiling products of nature, lavished by the hand of God, is the lofty tree of Liberty, planted by our fathers, which, without exaggeration, or even imagination, may be likened to

——'the tree of life,
High eminent, blooming ambrosial fruit
Of vegetable gold.'"

The closing passages of this speech exhibit a high order of declamation:

"The Prohibition of Slavery in the territory of Kansas and Nebraska stands on foundations of adamant, upheld by the early policy of the Fathers, by constant precedent, and time-honored compact. It is now in your power to overturn it; you may remove the sacred landmark, and open the whole vast domain to Slavery. To you is committed this

high prerogative. Our fathers, on the eve of the Revolution, set forth in burning words, among their grievances, that George III. 'in order to keep open a market where men should be bought and sold, had prostituted his negative for suppressing every legislative attempt to prohibit or restrain this execrable commerce.' Sir, like the English monarch, you may now prostitute your power to this same purpose. But you cannot escape the judgment of the world, nor the doom of history.

"It will be in vain, that, while doing this thing, you plead, in apology, the principle of *self-government*, which you profess to recognize in the Territories. Sir, this very principle, when truly administered, secures equal rights to all, without distinction of color or race, and makes Slavery impossible. By no rule of justice, and by no subtlety of political metaphysics, can the right to hold a fellow-man in bondage be regarded as essential to self-government. The inconsistency is too flagrant. It is apparent on the bare statement. It is like saying *two* and *two* make *three*. In the name of Liberty you open the door to Slavery. With professions of Equal Rights on the lips, you trample on the rights of Human Nature. With a kiss upon the brow of that fair Territory, you betray it to wretchedness and shame. Well did the

patriot soul exclaim, in bitter words, wrung out by bitter experience: 'O Liberty! what crimes are done in thy name!'

"In vain, sir, you will plead, that this measure proceeds from the North, as has been suggested by the Senator from Kentucky [Mr. Dixon]. Even if this were true, it would be no apology. But, precipitated as this Bill has been upon the Senate, at a moment of general calm, and in the absence of any controlling exigency, and then hurried to a vote in advance of the public voice, as if fearful of arrest, it cannot justly be called the offspring of any popular sentiment. In this respect it differs widely from the Missouri Prohibition, which, after solemn debate, extending through two sessions of Congress, and ample discussion before the people, was adopted. Certainly there is, as yet, no evidence that this attempt, though espoused by Northern politicians, proceeds from that Northern sentiment which throbs and glows, strong and fresh, in the schools, the churches, and homes of the people. *Populi omnes* AD AQUILONEM *positi Libertatem quandam spirant.* And could the abomination which you seek to perpetrate be now submitted to the awakened millions whose souls have been truly ripened under Northern skies, it would be flouted at once with indignant and undying scorn.

"But the race of men, 'white slaves of the North,' described and despised by a Southern statesman, is not yet extinct there, sir. It is one of the melancholy tokens of the power of Slavery, under our political system, and especially through the operations of the National Government, that it loosens and destroys the character of Northern men, exerting even its subtle influence at a distance—like the black magnetic mountain in the Arabian story, under whose irresistible attraction the iron bolts, which held together the strong timbers of a stately ship, securely floating on the distant wave, were drawn out, till the whole fell apart, and became a disjointed wreck. Alas! too often those principles, which give consistency, individuality, and form to the Northern character, which render it staunch, strong, and seaworthy, which bind it together as with iron, are sucked out, one by one, like the bolts of the ill-fated vessel, and from the miserable, loosened fragments is formed that human anomaly—*a Northern man with Southern principles.* Sir—No such man can speak for the North."

[Here there was an interruption of prolonged applause in the galleries.]

Mr. Sumner made the final protest for himself, and the clergy of New England, against slavery in Nebraska and Kansas, on the night of the pas-

sage of the Nebraska and Kansas Bill, May 25th, 1854. In his speech on that occasion he said, with much force and seriousness:

"Mr. President:—It is now midnight. At this late hour of a session drawn out to an unaccustomed length, I shall not fatigue the Senate by argument. There is a time for all things, and the time for this has passed. The determination of the majority is fixed; but it is not more fixed than mine. The Bill which they sustain, I oppose. On a former occasion I met it by argument, which, though often attacked in debate, still stands unanswered and unanswerable. At present, I am admonished that I must be content with a few words of earnest protest against the consummation of a great wrong. Duty to myself, and also to the honored Commonwealth, of which I find myself the sole representative in this immediate exigency, will not allow me to do less." * * *

"In passing this Bill, as is now threatened, you scatter, from this dark midnight hour, no seeds of harmony and good-will, but broadcast through the land, dragon's teeth, which haply may not spring up in direful crops of armed men, but yet, I am assured, sir, will they fructify in civil strife and feud.

"From the depths of my soul, as a loyal citizen and as a Senator, I plead, remonstrate, protest,

against the passage of this Bill. I struggle against it as against death; but, as in death itself, corruption puts on incorruption, and this mortal body puts on immortality, so from the sting of this hour I find assurances of that triumph by which Freedom will be restored to her immortal birthright in the Republic.

"*Sir, the Bill which you are now about to pass, is at once the worst and the best Bill on which Congress ever acted.* Yes, sir, WORST and BEST at the same time.

"It is the worst Bill, inasmuch as it is a present victory of Slavery. In a Christian land, and in an age of civilization, a time-honored statute of Freedom is struck down, opening the way to all the countless woes and wrongs of human bondage. Among the crimes of history, another is about to be recorded, which no tears can blot out, and which, in better days, will be read with universal shame. Do not start. The Tea Tax and Stamp Act, which aroused the patriot rage of our fathers, were virtues by the side of your transgression; nor would it be easy to imagine at this day, any measure which more openly and perversely defied every sentiment of justice, humanity, and Christianity. Am I not right, then, in calling it the worst Bill on which Congress ever acted?

"But there is another side to which I gladly

turn. Sir, it is the best Bill on which Congress ever acted; *for it annuls all past Compromises with Slavery, and makes all future Compromises impossible.* Thus it puts Freedom and Slavery face to face, and bids them grapple. Who can doubt the result? It opens wide the door of the Future, when, at last, there will really be a North, and the Slave Power will be broken; when this wretched Despotism will cease to dominate over our Government, no longer impressing itself upon every thing at home and abroad; when the National Government shall be divorced in every way from Slavery, and, according to the true intention of our fathers, Freedom shall be established by Congress everywhere, at least beyond the local limits of the States.

"Slavery will then be driven from its usurped foothold here in the District of Columbia, in the National Territories, and elsewhere beneath the National flag; the Fugitive Slave Bill, as vile as it is unconstitutional, will become a dead letter; and the domestic Slave-trade, so far as it can be reached, but especially on the high seas, will be blasted by Congressional Prohibition. Everywhere within the sphere of Congress, the great *Northern Hammer* will descend to smite the wrong; and the irresistible cry will break forth, 'No more Slave States!'

"Thus, sir, now standing at the very grave of Freedom in Nebraska and Kansas, I lift myself to the vision of that happy resurrection, by which Freedom will be secured, not only in these Territories, but everywhere under the National Government. More clearly than ever before, I now penetrate that 'All-Hail-Hereafter,' when Slavery must disappear. Proudly I discern the flag of my country, as it ripples in every breeze, at last become in reality, as in name, the Flag of Freedom—undoubted, pure, and irresistible. Am I not right, then, in calling this Bill the best on which Congress ever acted?

"Sorrowfully I bend before the wrong you are about to commit. Joyfully I welcome all the promises of the future."

CHAPTER X.

Delivers his speech in the Senate on the Boston Memorial for the Repeal of the Fugitive Slave Bill, etc.—makes an address before the Mercantile Library Association of Boston—delivers his speech in the Senate, entitled the *Demands of Freedom—Repeal of the Fugitive Slave Bill*—pronounces an address at the Metropolitan Theatre, New York—eloquent extracts.

On the 26th and 28th of June, 1854, Mr. Sumner delivered eloquent speeches in the Senate, on the Boston Memorial for the Repeal of the Fugitive Slave Bill, and in reply to Messrs. Jones, of Tennessee, Butler, of South Carolina, and Mason, of Virginia. This speech contains a masterly defence of Massachusetts, and is full of interesting facts. It exhibits a high order of bold declamation.

The next most important effort of Mr. Sumner for the cause of human freedom was his memorable "Struggle for the Repeal of the Fugitive Slave Bill," in the Senate, July 31, 1854, when he showed in the clearest manner his remarkable ability as a parliamentary debater, and vindicated his position by unanswerable assertions. The proposition which he brought forward was as follows:

"*Provided*, that the Act of Congress, approved 18th September, 1850, for the surrender of fugitives from service or labor, be, and the same hereby is repealed." After a long struggle the Senate refused to grant leave to introduce the Bill; but it will be seen, in this instance, that, in order to cut off an effort to repeal the Fugitive Slave Bill, at least two unquestionable rules of parliamentary law were overturned. For the firmness with which Mr. Sumner maintained his ground, and for the forcible eloquence with which he defended his proposition, he is entitled to the warmest thanks of all American citizens who are actuated by the liberty-loving spirit of their forefathers.

After the close of the Congressional session in 1854, he addressed the Republican State Convention, at Worcester, Mass. (7th September, 1854), on *The Duties of Massachusetts at the Present Crisis*. It is hardly necessary to remind the citizens of that honored and patriotic State of the closing powerful sentiments of this speech. We trust that they will ever be inspired by such sentiments, and be always found in the front ranks of freedom, struggling for those great principles which nerved the arm of their venerated fathers in the days of the Revolution. The speech closes in the following words:

"By the passage of the Nebraska Bill, and the

Boston kidnapping case, the tyranny of the Slave Power has become unmistakably manifest, while, at the same time, all compromises with Slavery are happily dissolved, so that Freedom now stands face to face with its foe. The pulpit, too, released from ill-omened silence, now thunders for Freedom, as in the olden time. It belongs to Massachusetts—nurse of the men and principles which made the earliest Revolution—to vow herself anew to her ancient faith, as she lifts herself to the great struggle. Her place now, as of old, is in the van, at the head of the battle. But to sustain this advanced position with proper inflexibility, three things are needed by our beloved Commonwealth, in all her departments of government—the same three things, which once in Faneuil Hall, I ventured to say were needed by every representative of the North at Washington. The first is *backbone;* the second is BACKBONE; and the third is BACKBONE. With these, Massachusetts will be respected, and felt as a positive force in the National Government, while at home, on her own soil, free at last in reality as in name, all her people, from the islands of Boston to Berkshire hills, and from the sands of Barnstable to the northern line, will unite in the cry:

> 'No slave hunt in our borders—no pirate on our strand;
> No fetter on the Bay State; no slave upon her land.'"

On the 15th of November, 1854, Mr. Sumner delivered his admirable address before the Mercantile Library Association of Boston, on *The Position and Duties of the Merchant; illustrated by the Life of Granville Sharp.* This address was delivered in tones of *feeling* eloquence, and was listened to with much pleasure. It abounds in just, appropriate, and beautiful thoughts, set forth in choice language.

During the Congressional session of 1854–5, Mr. Sumner made another strenuous effort for human rights. It will be remembered that on the 23d of February, 1855, on motion of Mr. Toucey, of Connecticut, the Senate proceeded to the consideration of a "Bill to protect officers and other persons acting under the authority of the United States," by which it was provided that "Suits commenced or pending in any State Court against any officer of the United States or other person, for or on account of any act done under any law of the United States, or under color thereof, or for or on account of any right, authority, claim, or title, set up by such officer or other person, under any law of the United States," should be removed for trial to the Circuit Court of the United States. This afforded Mr. Sumner an excellent opportunity for pressing his proposition to repeal the Fugitive Slave Bill, and he immediately took the floor against Mr.

Toucey's Bill, and delivered his able speech, entitled *The Demands of Freedom—Repeal of the Fugitive Slave Bill.*

On the 9th of May, 1855, Mr. Sumner made an address before the people of New York, at the Metropolitan Theatre, *On the Anti-Slavery Enterprise;* its necessity, practicability, and dignity, with glimpses at the special duties of the North. This effort was a magnificent display of spirit-stirring eloquence, and called forth the highest encomiums.

The last great political speech of Mr. Sumner, at a popular meeting of freemen, was delivered on the evening of 2d November, 1855, in Faneuil Hall, Boston. His subject was *The Slave Oligarchy and its Usurpations—the Outrages in Kansas—the different Political Parties—the Republican Party.* In this speech we have facts which, at this moment, should be duly considered by every northern man who loves freedom. Of this class is the following passage:

"Fellow-citizens, I have said enough to stir you; but this humiliating tale is not yet finished. An Oligarchy seeking to maintain an outrage like Slavery, and drawing its inspirations from the fountain of wickedness, is naturally base, false, and heedless of justice. It is vain to expect that men, who have screwed themselves to become the pro-

pagandists of this enormity, will be constrained by any compromise, compact, bargain, or plighted faith. As the less is contained in the greater, so there is no vileness of dishonesty, no denial of human rights, that is not plainly involved in the support of an enormity, which begins by changing man, created in the image of God, into a chattel, and sweeps little children away to the auction-block. A power which Heaven never gave, can be maintained only by means which Heaven can never sanction. And this conclusion of reason is confirmed by late experience; and here I approach the special question under which the country now shakes from side to side. The protracted struggle of 1820, known as the Missouri question, ended with the admission of Missouri as a slaveholding State, and the prohibition of Slavery in all the remaining territory, west of the Mississippi and north of 36° 30′. Here was a solemn act of legislation, called at the time a compromise, a covenant, a compact, first brought forward by the Slave Oligarchy—vindicated by it in debate—finally sanctioned by its votes, also upheld at the time by a slave-holding President, James Monroe, and his cabinet—of whom a majority were slaveholders, including Mr. Calhoun himself—and made the condition of the admission of Missouri—without which that State could not have been received

into the Union. Suddenly, during the last year—without any notice in the public press or the prayer of a single petition—after an acquiescence of thirty three years, and the irreclaimable possession by the Slave Oligarchy of its special share in the provisions of this Compromise—in violation of every obligation of honor, compact, and good neighborhood—and in contemptuous disregard of the out-gushing sentiments of an aroused North, this time-honored Prohibition, in itself a Landmark of Freedom, was overturned, and the vast region, now known as Kansas and Nebraska, was opened to Slavery; and this was done under the disgraceful lead of Northern politicians, and with the undisguised complicity of a Northern President, forgetful of Freedom, forgetful also of his reiterated pledges, that during his administration the repose of the country should receive no shock.

"And all this was perpetrated under pretences of popular rights. Freedom was betrayed by a kiss. In defiance of an uninterrupted prescription down to our day—early sustained at the South as well as the North—leaning at once on Jefferson and Washington—sanctioned by all the authoritative names of our history, and beginning with the great Ordinance by which Slavery was prohibited in the Northwest—it was pretended that the people of the United States, who are the proprietors

of the national domain, and who, according to the Constitution, may 'make all needful rules and regulations' for its government, nevertheless were not its sovereigns—that they had no power to interdict Slavery there; but that this eminent dominion resided in the few settlers, called squatters, whom chance, or a desire to better their fortunes, first hurried into these places. To this precarious handful, sprinkled over immense spaces, it was left, without any constraint from Congress, to decide, whether into these vast, unsettled lands, as into the veins of an infant, should be poured the festering poison of Slavery, destined, as time advances, to show itself in cancers and leprous disease, or whether they should be filled with all the glowing life of Freedom. And this great power, transferred from Congress to these few settlers, was hailed by the new-fangled name of *Squatter Sovereignty*.

"It was fit that the original outrage perpetrated under such pretences, should be followed by other outrages perpetrated in defiance of these pretences. In the race of emigration, the freedom-loving freemen of the North promised to obtain the ascendency, and in the exercise of the conceded sovereignty of the settlers, to prohibit Slavery. The Slave Oligarchy was aroused to other efforts. Of course it stuck at nothing. On the day of election

when this vaunted popular sovereignty was first invoked, hirelings from Missouri, having no home in the territory, entered it in bands of fifties and hundreds, and assuming an electoral franchise to which they had no claim, trampled under foot the Constitution and laws. Violently, ruthlessly the polls were possessed by these invaders. The same Northern President, who did not shrink from unblushing complicity in the original outrage, now assumed another complicity. Though prompt to lavish the Treasury, the Army, and the Navy of the Republic in hunting a single slave through the streets of Boston, he could see the Constitution and laws, which he was sworn to protect, and those popular rights which he had affected to promote, all struck down in Kansas, and then give new scope to these invaders by the removal of the faithful Governor,—who had become obnoxious to the Slave Oligarchy because he would not become its tool,—and the substitution of another, who vindicated the dishonest choice by making haste, on his first arrival there, to embrace the partisans of Slavery. The legislature, which was constituted by the overthrow of the electoral franchise, proceeded to overthrow every safeguard of Freedom. At one swoop it adopted all the legislation of Missouri, including its Slave Code; by another act it imposed unprecedented conditions upon the exer-

cise of the electoral franchise, and by still another act it denounced the *punishment of death* no less than five times against as many different forms of interference with the alleged property in human flesh, while all who only write or speak against Slavery are adjudged to be felons. Yes, fellow-citizens, should any person there presume to print or circulate the speech in which I now express my abhorrence of Slavery, and deny its constitutional existence anywhere within the national jurisdiction, he would become liable under this act as a felon. And this overthrow of all popular rights is done in the name of Popular Sovereignty. Surely its authors follow well the example of the earliest Squatter Sovereign—none other than Satan—who, stealing into Eden, was there discovered, by the celestial angels, just beginning his work; as Milton tells us,

——— 'him there they found
Squat like a toad, close at the ear of Eve.'

"Would you know the secret of this unprecedented endeavor, beginning with the repeal of the Prohibition of Slavery down to the latest atrocity? The answer is at hand. It is not merely to provide new markets for Slaves, or even to guard Slavery in Missouri, but to build another Slave State, and thus, by the presence of two additional

slaveholding Senators, to give increased preponderance to the Slave Oligarchy in the National Government. As men are murdered for the sake of their money, so is this territory blasted in peace and prosperity, in order to wrest its political influence to the side of Slavery."

The speech abounds with pertinent remarks on the Republican party. Referring to its organization, he happily introduces this passage:

"It was the sentiment of that great Apostle of Freedom, Benjamin Franklin, uttered during the trials of the Revolution, that, 'Where Liberty is, there is my country.' In similar strain, I would say, 'Where Liberty is, there is my party.' Such an organization is now happily constituted here in Massachusetts, and in all the Free States, under the name of the Republican Party."

After stating the great object of the Republican party, he proceeds to answer the various objections by which that party has been assailed. We introduce the closing passages which contain the answer to the last objection noticed, and a call upon men of all parties to come forward and sustain the great principles of freedom:

"And yet again, it is objected that ours is a party of a *single idea*. This is a phrase, and nothing more. The party may not recognize certain measures of public policy, deemed by some

of special importance; but it does what is better, and what other parties fail to do. It acknowledges that beneficent principle, which, like the great central light, vivifies all, and without which all is dark and sterile. The moving cause and the animating soul of our party, is the idea of Freedom. But this idea is manifold in character and influence. It is the idea of the Declaration of Independence. It is the great idea of the founders of the Republic. It is the idea which combined our Fathers on the heights of Bunker Hill; which carried Washington through a seven years' war; which inspired Lafayette; which touched with coals of fire the lips of Adams, Otis, and Patrick Henry. Ours is an idea, which is at least noble and elevating; it is an idea which draws in its train virtue, goodness, and all the charities of life, all that makes earth a home of improvement and happiness:

> 'Her track, where'er the goddess roves,
> Glory pursues, and generous shame,
> The unconquerable mind and Freedom's holy flame.'

"Thus do all objections disappear, even as the mists of morning before the sun, rejoicing like a strong man to run his race. The Republican party stands vindicated in every particular. It only remains that I should press the question with which I began—'Are you for Freedom, or are

you for Slavery?' As it is right to be taught by the enemy, let us derive instruction from the Oligarchy we oppose. The three hundred and forty-seven thousand slave-masters are always united. Hence their strength. Like arrows in a quiver, they cannot be broken. The friends of Freedom have thus far been divided. They, too, must be united. In the crisis before us, it becomes you all to forget ancient feuds, and those names which have been the signal of strife. There is no occasion to remember any thing but our duties. When the fire-bell rings at midnight, we do not ask if it be Whigs or Democrats, Protestants or Catholics, natives or foreigners, who join our efforts to extinguish the flames; nor do we ask any such question in selecting our leader then. Men of all parties, Whigs and Democrats, or however named, let me call upon you to come forward and join in a common cause. Do not hesitate. When Freedom is in danger, all who are not for her are against her. The penalty of indifference, in such a cause, is akin to the penalty of opposition; as is well pictured by the great Italian poet, when, among the saddest on the banks of Acheron—rending the air with outcries of torment, shrieks of anger and smiting of hands—he finds the troop of dreary souls who had been ciphers only in the great conflicts of life:

'Mingled with whom, of their disgrace the proof,
Are the vile angels, who did not rebel,
Nor kept their faith to God, *but stood aloof*.'

Come forth, then, from the old organizations; let us range together. Come forth, all who have stood aloof from parties; here is an opportunity for action. You who place principles above men! come forward. All who feel in any way the wrong of Slavery, take your stand! Join us, ye lovers of Truth, of Justice, of Humanity! And let me call especially upon the young. You are the natural guardians of Liberty. In your firm resolves and generous souls she will find her surest protection. The young man who is not willing to serve in her cause—to suffer, if need be, for her—gives little promise of those qualities which secure an honorable age.

"Fellow-Citizens:—We found now a new party. Its corner-stone is Freedom. Its broad, all-sustaining arches are Truth, Justice, and Humanity. Like the ancient Roman Capitol, at once a Temple and a Citadel, it shall be the fit shrine for the genius of American Institutions."

CHAPTER XI.

The late Session of Congress—Mr. Sumner delivers his great Speech on Kansas—the assault in the Senate chamber—Mr. Sumner's statement respecting it—indignation meetings—remarks.

The Congressional Session of 1855–6 has been the most important, as well as the most painful and calamitous in the public career of Mr. Sumner. Ah! the heart sickens as we draw near to contemplate that murderous act by which this illustrious Senator of a sovereign State was inhumanly stricken down in the Senate chamber, while discharging faithfully his public duties.

The absorbing question of the late session of Congress, as the intelligent reader well knows, was that touching the affairs in Kansas, particularly the outrages committed in that territory. On the 19th of March, 1856, Mr. Douglas introduced "A Bill to authorize the people of the Territory of Kansas to form a Constitution and State Government, and to provide for their admission into the Union, when they have the requisite population." Shortly after, Mr. Seward moved, by way of substitute, another Bill, providing for im-

mediate action, and entitled "A Bill for the admission of the State of Kansas into the Union." This gave rise to a warm and protracted debate, in the course of which, on the 19th and 20th of May, Mr. Sumner made his immortal Speech :—THE CRIME AGAINST KANSAS—THE APOLOGIES FOR THE CRIME—THE TRUE REMEDY.

It would only be expressing the opinion of able and impartial judges, to pronounce this speech one of the grandest efforts of modern oratory—one of the most commanding, irresistible, and powerful speeches ever made in the Senate of the United States. It will always rank with the imperishable efforts of Webster against Hayne, and those of Burke against Hastings. It is a speech of surpassing eloquence and power, full of beautiful, forcible, and glowing passages—a continued stream of fervid oratory, keen in sarcasm, severe in invective, irresistible in logic, and overpowering in argumentation. One of the most admirable passages in this speech is that on the defence of Massachusetts—a passage which exhibits the loftiest strains of genuine, soul-stirring eloquence :

"God be praised ! Massachusetts, honored Commonwealth, that gives me the privilege to plead for Kansas on this floor, knows her rights, and will maintain them firmly to the end. This is not the first time in history, that her public acts

have been arraigned, and that her public men have been exposed to contumely. Thus was it when, in the olden time, she began the great battle whose fruits you all enjoy. But never yet has she occupied a position so lofty as at this hour. By the intelligence of her population, by the resources of her industry—by her commerce, cleaving every wave—by her manufactures, various as human skill—by her institutions of education, various as human knowledge—by her institutions of benevolence, various as human suffering—by the pages of her scholars and historians—by the voices of her poets and orators, she is now exerting an influence more subtile and commanding than ever before—shooting her far-darting rays wherever ignorance, wretchedness, or wrong prevail, and flashing light even upon those who travel far to persecute her. *Such is Massachusetts, and I am proud to believe that you may as well attempt, with puny arm, to topple down the earth-rooted, heaven-kissing granite which crowns the historic sod of Bunker Hill, as to change her fixed resolves for Freedom everywhere, and especially now for freedom in Kansas.** I exult, too, that in this battle, which surpasses far in moral grandeur the

* This is one of the grandest expressions that can be found in the annals of ancient or modern patriotic eloquence, and is an illustrious example of the very highest order of declamation.

whole war of the Revolution, she is able to preserve her just eminence. To the first she contributed a larger number of troops than any other State in the Union, and larger than all the Slave States together; and now to the second, which is not of contending armies, but of contending opinions, on whose issue hangs trembling the advancing civilization of the country, she contributes, through the manifold and endless intellectual activity of her children, more of that divine spark by which opinions are quickened into life, than is contributed by any other State, or by all the Slave States together, while her annual productive industry excels in value three times the whole vaunted cotton crop of the whole South.

"Sir, to men on earth it belongs only to deserve success; not to secure it; and I know not how soon the efforts of Massachusetts will wear the crown of triumph. But it cannot be that she acts wrong for herself or children, when in this cause she thus encounters reproach. No; by the generous souls who were exposed at Lexington; by those who stood arrayed at Bunker Hill; by the many from her bosom who, on all the fields of the first great struggle, lent their vigorous arms to the cause of all; by the children she has borne, whose names alone are national trophies, is Massachusetts now vowed irrevocably to this work. What be-

longs to the faithful servant she will do in all things, and Providence shall determine the result."

The peroration also excels in commanding, dignified eloquence:

"In just regard for free labor in that Territory, which it is sought to blast by unwelcome association with slave labor; in Christian sympathy with the slave, whom it is proposed to task and sell there; in stern condemnation of the crime which has been consummated on that beautiful soil; in rescue of fellow-citizens, now subjugated to a tyrannical Usurpation; in dutiful respect for the early Fathers, whose inspirations are now ignobly thwarted; in the name of the Constitution, which has been outraged—of the Laws trampled down—of Justice banished—of Humanity degraded—of Peace destroyed—of Freedom crushed to earth; and in the name of the Heavenly Father, whose service is perfect Freedom, I make this last appeal."

This speech will always be regarded as one of the greatest oratorical efforts ever made, and it will also be remembered, by the latest posterity, as the occasion of one of the most brutal assaults ever committed. This outrage is fresh in the minds of all our citizens, and we will only repeat the leading facts in relation to it. On Thursday, May

22d, two days after the conclusion of his great speech, Mr. Sumner, after the adjournment of the day, was sitting in his chair in the Senate chamber, busily engaged in writing. Preston S. Brooks, a member of the House, from South Carolina, entered the Senate chamber, and waited some twenty minutes till Mr. Sumner's friends had retired. He then approached Mr. Sumner, addressed him by name, and said: "I have read your speech twice, and carefully. It is a libel on South Carolina, and on Mr. Butler also, a relative of mine." No sooner had he uttered these words than he struck Mr. Sumner on the head with a heavy cane, and repeated the blow a dozen or twenty times, till the thick gutta-percha stick was broken into many pieces. Mr. Sumner fell to the floor from the effects of the first blow which cut a gash of three or four inches in length on his head. The merciless Brooks kept on his repeating heavy blows, while the blood was flowing freely from the wounds he had inflicted, staining the floor of the Senate chamber, and the adjoining desks. Mr. Sumner lay upon the floor in an unconscious state, his face and clothes covered with blood, and his head dreadfully bruised, till he was rescued by Mr. Morgan and Mr. Murray of the New York delegation. These gentlemen, being in the front ante-room, and hearing the noise, came into the Senate cham-

ber, and immediately rushed forward to the scene of the murderous attack. Mr. Murray seized hold of Brooks, and Mr. Morgan went to the relief of the mangled and bleeding Senator. In the perpetration of this great outrage, Brooks was accompanied by Mr. Keitt, of South Carolina, who stood by his side armed, and attempted to prevent interference in behalf of Mr. Sumner. The assault was made in the presence of some fifteen or twenty persons, including Messrs. Crittenden, Toombs, Foster, Fitzpatrick, Iverson, Bright, Douglas, Pearce, Geyer, Payne, several officers of the Senate, and some strangers. What is most surprising, none of the Senators present seemed to interfere, except Mr. Crittenden, who came forward and pronounced the assault an inexcusable outrage.

This violent attack upon the person of Mr. Sumner, to say the least of it, was that of a *cowardly* assassin. To steal upon a helpless, unarmed man, and, without giving him the least warning, to beat him till insensible, and after he is insensible to repeat the blows, is certainly an evidence of great cowardice. No truly brave man would act thus. Well did Mr. Burlingame, in his able speech in the House, refer to this most brutal assault, when he exclaimed in the following bold and truthful language:

"On the 22d day of May, when the Senate and

the House had clothed themselves in mourning for a brother fallen in the battle of life in the distant State of Missouri, the Senator from Massachusetts sat, in the silence of the Senate chamber, engaged in employments appertaining to his office, when a member from this House, who had taken an oath to sustain the Constitution, stole into the Senate—that place which had hitherto been held sacred against violence—and smote him as Cain smote his brother. * * * * One blow was enough; but it did not satiate the wrath of that spirit which had pursued him through two days. Again, and again, and again, quicker and faster, fell the leaden blows, until he was torn away from his victim, when the Senator from Massachusetts fell into the arms of his friends, and his blood ran down the Senate floor. Sir, the act was brief, and my comments on it shall be brief also. I denounce it in the name of the sovereignty of Massachusetts, which was stricken down by the blow; I denounce it in the name of humanity; I denounce it in the name of civilization, which it outraged! I denounce it in the name of that fair play which bullies and prize-fighters respect. What! strike a man when he is pinioned—when he cannot respond to a blow! Call you that chivalry? In what code of honor did you get your authority for that."

A few days after the assault, Mr. Sumner made

a statement with regard to it, before the House Committee of Investigation. He was not able to sit up during the examination, and gave the following testimony in bed:

"I attended the Senate as usual on Thursday, the 22d of May. After some formal business, a message was received from the House of Representatives, announcing the death of a member of that body from Missouri. This was followed by a brief tribute to the deceased from Mr. Geyer, of Missouri, when, according to usage and out of respect to the deceased, the Senate adjourned at once. Instead of leaving the Senate chamber with the rest of the Senators, on the adjournment, I continued in my seat, occupied with my pen, and while thus intent, in order to be in season for the mail, which was soon to close, I was approached by several persons, who desired to converse with me, but I answered them promptly and briefly, excusing myself for the reason that I was engaged. When the last of these persons left me, I drew my arm-chair close to my desk, and with my legs under the desk continued writing.

"My attention at this time was so entirely drawn from all other subjects that, though there must have been many persons in the Senate, I saw nobody. While thus intent, with my head bent over my writing, I was addressed by a per-

son who approached the front of my desk: I was so entirely absorbed, that I was not aware of his presence until I heard my name pronounced. As I looked up with pen in hand, I saw a tall man, whose countenance was not familiar, standing directly over me, and at the same moment caught these words: 'I have read your speech twice over, carefully; it is a libel on South Carolina, and Mr. Butler, who is a relative of mine.' While these words were still passing from his lips, he commenced a succession of blows with a heavy cane on my bare head, by the first of which I was stunned so as to lose my sight. I saw no longer my assailant, nor any other person or object in the room. What I did afterwards was done almost unconsciously, acting under the instincts of self-defence. With head already bent down, I rose from my seat—wrenching up my desk, which was screwed to the floor—and then pressing forward, while my assailant continued his blows. I had no other consciousness until I found myself ten feet forward in front of my desk, lying on the floor of the Senate, with my bleeding head supported on the knee of a gentleman whom I soon recognized, by voice and manner, as Mr. Morgan, of New York. Other persons there were about me, offering me friendly assistance, but I did not recognize any of them. Others there were at a dis-

tance, looking on and offering no assistance, of whom I recognized only Mr. Douglas, of Illinois, Mr. Toombs, of Georgia, and I thought also my assailant standing between them. I was helped from the floor, and conducted into the lobby of the Senate, where I was placed upon a sofa. Of those who helped me here I have no recollection. As I entered the lobby, I recognized Mr. Slidell, of Louisiana, who retreated, but I recognized no one else until I felt a friendly grasp of the hand, which seemed to come from Mr. Campbell, of Ohio. I have a vague impression that Mr. Bright, President of the Senate, spoke to me while I was on the floor of the lobby. I make this statement in answer to the interrogatory of the Committee, and offer it as presenting completely all my recollections of the assault and of the attending circumstances, whether immediately before or immediately after. I desire to add, that besides the words which I have given as uttered by my assailant, I have an indistinct recollection of the words 'old man;' but these are so enveloped in the mist which ensued from the first blow, that I am not sure whether they were uttered or not."

"On the cross-examination of Mr. Sumner, he stated that he was entirely without arms of any kind, and that he had no notice or warning of any kind, direct or indirect, of this assault.

"In answer to a cross-question, Mr. Sumner replied that what he had said of Mr. Butler was strictly responsive to Mr. Butler's speeches, and according to the usages of parliamentary debate."

Messrs. Brooks and Keitt were severely censured by the House, and resigned their seats. May the presence of such Representatives no longer disgrace the Congress of these United States. Truth compels us to say, that men in an official capacity, in this enlightened age and free country, who thus resort to brute force, are only fit to be the representatives of uncivilized, unchristianised governments, where freedom of the cudgel, and not freedom of speech, is an established principle.

Mr. Sumner has suffered intensely from the effects of his wounds, and still continues at the time we write (October 7th, 1856), in a very critical condition. It is to be hoped that he may yet be able to resume his seat in the Senate, where his presence is much needed.

In concluding our comments on the Sumner Outrage, we must say that the cowardly attempt of Brooks to beat down freedom of speech, has done more to arouse the citizens of the Northern States, and to make them realize the inestimable value of human liberty, than any other event of the past twenty years. Large indignation meet-

ings have been held in many cities and towns at the North,—in Boston, Cambridge, Worcester, Salem, Newburyport, Lowell, &c., in Massachusetts; Manchester, Concord, New Market, &c., in New Hampshire; Portland, Bangor, &c., in Maine; Burlington, Montpelier, &c., in Vermont; Hartford, New Haven, &c., in Connecticut; New York City, Brooklyn, Troy, Albany, Utica, Syracuse, Auburn, Rochester, Buffalo, Poughkeepsie, &c., in New York; Cleveland, Columbus, Cincinnati, &c., in Ohio; Chicago, in Illinois, and many other places.

Such an assault as that committed upon Mr. Sumner, instead of suppressing the spirit of liberty, will only tend to infuse and circulate it more extensively. Brute violence cannot confine or destroy that glorious principle which glows in the hearts of freemen. Among the noblest sentiments that ever came from the lips of the eloquent Kossuth, were those which he uttered in thrilling tones, when standing on Bunker Hill, and speaking of the gushing fountain of liberty. He said: "ITS WATERS WILL FLOW; EVERY NEW DROP OF MARTYR BLOOD WILL INCREASE THE TIDE. DESPOTS MAY DAM ITS FLOOD, BUT NEVER STOP IT. THE HIGHER ITS DAM, THE HIGHER THE TIDE; IT WILL OVERFLOW, OR BREAK THROUGH."

CHAPTER XII.

Oratorical character of Mr. Sumner—his person—his delivery—his voice—his intellect—his learning—his imagination, &c.—his love of freedom—his style of composition—compared to Fisher Ames—concluding remarks.

We proceed to delineate the oratorical character of Mr. Sumner—to mention some of the grand and prominent qualities of his sweet, persuasive eloquence. Possessing most of those high characteristics which are requisite in the formation of a natural orator, he is one of the most graceful and accomplished of our public speakers.

In the first place, he is favored with a noble, commanding person, every way well-proportioned, with a dignified countenance and attractive eyes, indicative of intelligence and sensibility. When excited in debate, his eye brightens and becomes almost radiant with what is passing within.* What force does the beaming, piercing eye of an accomplished orator add to his eloquent effusions! Chatham and Erskine are illustrious examples of

* As the countenance is the image of the mind, so are the eyes the informers as to what is going on within it.—Cicero.

this. It is said that much of the force and splendor of their eloquence arose from the fire of their eye, and the animation of their countenance. By a single glance of scorn or contempt, Chatham was often able to overwhelm his opponents with terror, and throw them into confusion, in the midst of their own speeches; and of the piercing keenness and power of Erskine's eye, Brougham remarks: "Juries have declared that they felt it impossible to remove their looks from him, when he had riveted, and, as it were, fascinated them by his first glance."

The first and most important requisite to genuine eloquence, is a good delivery: the "*action—action—action*" of Demosthenes. It is to such a delivery that Mr. Sumner owes, in an eminent degree, his success as an orator. In public address his manner is captivating; his gestures are graceful, animated, and often vehement, and every motion is made with suitable dignity, and only when necessary to produce an effect. The principal attractions of his oratory, as is the case with that of all accomplished public speakers, centre in delivery; and, with reference to his manner, we may say:

"There's a charm in delivery, a magical art,
That thrills, like a kiss, from the lip to the heart;
'Tis the glance—the expression—the well-chosen word—
By whose magic the depths of the spirit are stirred—

The smile—the mute gesture—the soul-stirring pause—
The eye's sweet expression, that melts while it awes—
The lip's soft persuasion—its musical tone:
Oh! such are the charms of that eloquent one!"

Another distinguishing quality which adds grace to Mr. Sumner's oratory, is a singularly sweet* and melodious voice, whose tones are perfectly suited to descriptive, pathetic, indignant, and impassioned declamation. An orator must possess a voice which is easily accommodated to every variety of use, or else he will fail to produce the most powerful impressions upon an audience. There is something very seductive and thrilling in the full, rich, base voice of Mr. Sumner, and his melodious tones have repeatedly enchained large and brilliant assemblies. A hearer might well say, as he listens to the charming accents of his musical voice:

"Thy sweet words drop upon the ear as soft
As rose leaves on a well: and I could listen,
As though the immortal melody of Heaven
Were wrought into one word—that word a whisper,
That whisper all I want from all I love."

Without regard to the words which he utters, it is pleasing to listen to a speaker whose voice possesses a great variety of note, softness of sound, and melody of tone. There is a magic in this, which sways our feelings and thrills our very souls.

* The voice requires to be sweet as well as strong, in an accomplished orator.—*Quintilian.*

Lord Erskine's voice was one of surpassing sweetness, richness, and melody; and so was that of those other renowned orators and statesmen, Patrick Henry, Chatham, Sheridan, Ames, and Clay. Much of the splendor and fascination of their eloquence came from their tones of music, which stirred the spirit of their auditors like the notes of some heavenly instrument visited ever and anon by "an angel touch." A clear, strong, musical voice, capable of expressing all human feelings and passions, is among the most desirable qualities in the formation of a consummate orator. "A good voice," says Cicero, "is a thing to be desired; for it is not naturally implanted in us, but practice and use give it to us. Therefore, the consummate orator will vary and change his voice; and sometimes straining it, sometimes lowering it, he will go through every degree of tone."

We regard the voice of Mr. Sumner as one of the most charming attributes of his eloquence: its variations are truly captivating, and its base tones thrill through one's whole frame like the blast of a bugle.

> His words have such a melting flow,
> And speak of truth so sweetly well,
> They drop like heaven's serenest snow,
> And all is brightness where they fall.

Mr. Sumner possesses a mind of the highest order, capable of embracing the widest range of

thought, and it is richly stored with all those intellectual treasures which grace oratory and add to its power. In almost every department of human knowledge he is quite at home. In the science of law, classical literature, and universal history he has but few equals. His knowledge of the ancient classics, and the facility and fluency with which he can quote from them, is certainly extraordinary. In short, he is one of the ripest scholars that our country has produced; and where can we find one in whom is united, in a more eminent degree, those qualities which Cicero, in his admirable *Treatise on Oratory*, describes as belonging to an eloquent and accomplished orator? Says he: "The foundation of eloquence, as of all other things, is wisdom. The orator must be a master of civil law, which forensic debates are in daily need of. For what is more shameful than for a man to undertake the conduct of legal and civil disputes, while ignorant of the statutes and of civil law? He must be acquainted also with the history of past ages and the chronology of old time, especially, indeed, as far as our own State is concerned; but also he must know the history of despotic governments and of illustrious monarchs. * * * For not to know what happened before one was born, is to be a boy all one's life. For what is the life of a man unless by a recollection of bygone transactions

it is united to the times of his predecessors? But the mention of antiquity and the citation of examples give authority and credit to a speech, combined with the greatest pleasure to the hearers."

"Sumner, from thy well-ordered mind there grows
The wondrous fount of learning manifold;
Thine eloquence o'er stores of wisdom flows,
Like a broad river over sands of gold."

Mr. Sumner possesses a vivid and powerful imagination, a remarkably retentive memory, and strong argumentative powers, which admirably fit him for the arena of debate.

His oratory derives additional force and splendor from the source whence it is drawn. Like Demosthenes and Cicero, he imbibes his political principles at the inspiriting fountain-head of LIBERTY. No object is dearer to him than that which tends to promote the peace and happiness, the amelioration and freedom, the moral and intellectual elevation of the human race. This, as we have plainly seen, has been the grand source whence have originated the most of those beautiful and thrilling sentiments which abound in his speeches, and which will never die.

It has been said that Gen. Warren was a powerful orator, because he was a true man, and struggled for man's highest rights. The same may be said, with as much truth and appropriateness, of Charles Sumner. He also is an effective speaker, because

he is a *true* man, and struggles nobly for the highest rights which belong to *all* men. Liberty is the one grand subject which he has ever loved to contemplate, and to set forth with all the enchantment of his irresistible eloquence.

> "'Tis liberty alone that gives the flower
> Of fleeting life its lustre and perfume,
> And all are weeds without it. All constraint,
> Except what wisdom lays on evil men,
> Is evil; hurts the faculties, impedes
> Their progress in the road of science; blinds
> The eyesight of Discovery; and begets
> In those that suffer it a sordid mind,
> Bestial, a meagre intellect, unfit
> To be the tenant of man's noble form."

The style of Mr. Sumner's composition is worthy of particular notice, in an estimate of his oratorical genius. It is remarkably clear, terse, strong, and beautiful: his periods are generally full and flowing, and his words admirably chosen and well arranged. Among rhetoricians he stands in the foremost rank, and his style, though not entirely free from faults, will long be regarded as among the most perfect models, which our literature affords, for the study and imitation of the student of oratory. His composition abounds in an exuberance of classical allusion, which has been the subject of frequent and severe criticism.

It may as truly be said of Mr. Sumner, as has been remarked of Fisher Ames: "His eloquence is generally flowing and delightful, rising at times

to passages of great power and pathos—and conveyed always in a diction remarkably correct, terse, and beautiful. Like Burke, he is distinguished by philosophic and comprehensive views. Such is the skill with which he draws from human nature, and from history, his lessons of political wisdom, that his orations and writings are as instructive as they are pleasing." And it has been well remarked that his orations and speeches will live as long as liberty and humanity continue to be the prey of despotism and cruelty; and his principles will live and burn in the bosoms of liberty's own apostles, so long as war, violence, and slavery shall be permitted to shower their curses upon the world.

In conclusion, what we most admire in Charles Sumner is his noble and majestic form—his bland and dignified manner—his appropriate and graceful gestures—his rich and mellifluous voice—his grand and elegant diction—his fervid and brilliant eloquence—his deep and stirring pathos—his sound and irresistible logic—his masterly and overpowering argumentation—his varied accomplishments in literature—his genial courtesy of manners—his warm and kind disposition, and above all, his strong, abiding love of JUSTICE, HUMANITY, and FREEDOM.

The Crime against Kansas.

THE APOLOGIES FOR THE CRIME:

THE TRUE REMEDY.

SPEECH OF HON. CHARLES SUMNER,

IN THE

SENATE OF THE UNITED STATES,

19TH & 20TH MAY, 1856.

SPEECH.

MR. PRESIDENT:

You are now called to redress a great transgression. Seldom in the history of nations has such a question been presented. Tariffs, army bills, navy bills, land bills, are important, and justly occupy your care; but these all belong to the course of ordinary legislation. As means and instruments only, they are necessarily subordinate to the conservation of government itself. Grant them or deny them, in greater or less degree, and you will inflict no shock. The machinery of government will continue to move. The State will not cease to exist. Far otherwise is it with the eminent question now before you, involving, as it does, liberty in a broad Territory, and also involving the peace of the whole country, with our good name in history for evermore.

Take down your map, sir, and you will find that the Territory of Kansas, more than any other region, occupies the middle spot of North America, equally distant from the Atlantic on the east,

and the Pacific on the west; from the frozen waters of Hudson's Bay on the north, and the tepid Gulf Stream on the south, constituting the precise territorial centre of the whole vast continent. To such advantages of situation, on the very highway between two oceans, are added a soil of unsurpassed richness, and a fascinating, undulating beauty of surface, with a health-giving climate, calculated to nurture a powerful and generous people, worthy to be a central pivot of American institutions. A few short months only have passed since this spacious mediterranean country was opened only to the savage, who ran wild in its woods and prairies; and now it has already drawn to its bosom a population of freemen larger than Athens crowded within her historic gates, when her sons, under Miltiades, won liberty for mankind on the field of Marathon; more than Sparta contained, when she ruled Greece, and sent forth her devoted children, quickened by a mother's benediction, to return with their shields or on them; more than Rome gathered on her seven hills, when, under her kings, she commenced that sovereign sway, which afterwards embraced the whole earth; more than London held, when, on the fields of Crecy and Agincourt, the English banner was carried victoriously over the chivalrous hosts of France.

Against this territory, thus fortunate in position and population, a Crime has been committed which is without example in the records of the past. Not in plundered provinces, or in the cruelties of selfish governors, will you find its parallel; and yet there is an ancient instance, which may show, at least, the path of justice. In the terrible impeachment by which the great Roman orator has blasted, through all time, the name of Verres, amidst charges of robbery and sacrilege, the enormity which most aroused the indignant voice of his accuser, and which still stands forth with strongest distinctness, arresting the sympathetic indignation of all who read the story, is, that, away in Sicily, he had scourged a citizen of Rome—that the cry, "I am a Roman citizen," had been interposed in vain against the lash of the tyrant governor. Other charges were, that he had carried away productions of art, and that he had violated the sacred shrines. It was in the presence of the Roman Senate that this arraignment proceeded; in a temple of the Forum; amidst crowds, such as no orator had ever before drawn together, thronging the porticoes and colonnades, even clinging to the house-tops and neighboring slopes, and under the anxious gaze of witnesses summoned from the scene of crime. But an audience grander far, of higher dignity, of more vari-

ous people and of wider intelligence,—the countless multitude of succeeding generations, in every land where eloquence has been studied, or where the Roman name has been recognized,—has listened to the accusation, and throbbed with condemnation of the criminal. Sir, speaking in an age of light and in a land of constitutional liberty, where the safeguards of elections are justly placed among the highest triumphs of civilization, I fearlessly assert that the wrongs of much-abused Sicily, thus memorable in history, were small by the side of the wrongs of Kansas, where the very shrines of popular institutions, more sacred than any heathen altar, have been desecrated; where the ballot-box, more precious than any work in ivory or marble, from the cunning hand of art, has been plundered; and where the cry, "I am an American citizen," has been interposed in vain against outrage of every kind, even upon life itself. Are you against sacrilege?—I present it for your execration. Are you against robbery?—I hold it up for your scorn. Are you for the protection of American citizens?—I show you how their dearest rights have been cloven down, while a tyrannical usurpation has sought to install itself on their very necks!

But the wickedness which I now begin to expose is immeasurably aggravated by the motive

which prompted it. Not in any common lust for power did this uncommon tragedy have its origin. It is the rape of a virgin Territory, compelling it to the hateful embrace of Slavery; and it may be clearly traced to a depraved longing for a new slave State, the hideous offspring of such a crime, in the hope of adding to the power of Slavery in the National Government. Yes, sir, when the whole world, alike Christian and Turk, is rising up to condemn this wrong, and to make it a hissing to the nations, here in our Republic, *force*—ay, sir, FORCE—has been openly employed in compelling Kansas to this pollution, and all for the sake of political power. There is the simple fact, which you will vainly attempt to deny, but which in itself presents an essential wickedness that makes other public crimes seem like public virtues.

But this enormity, vast beyond comparison, swells to dimensions of wickedness which the imagination toils in vain to grasp, when it is understood that for this purpose are hazarded the horrors of intestine feud, not only in this distant Territory, but everywhere throughout the country. Already the muster has begun. The strife is no longer local, but national. Even now, while I speak, portents hang on all the arches of the horizon, threatening to darken the broad land, which

already yawns with the mutterings of civil war. The fury of the propagandists of Slavery, and the calm determination of their opponents, are now diffused from the distant Territory over widespread communities, and the whole country, in all its extent—marshalling hostile divisions, and foreshadowing a strife, which, unless happily averted by the triumph of Freedom, will become war —fratricidal, parricidal war—with an accumulated wickedness beyond the wickedness of any war in human annals; justly provoking the avenging judgment of Providence and the avenging pen of history, and constituting a strife, in the language of the ancient writer, more than *foreign*, more than *social*, more than *civil;* but something compounded of all these strifes, and in itself more than war—*sed potius commune quoddam ex omnibus, et plusquam bellum.*

Such is the Crime which you are to judge. But the criminal also must be dragged into day, that you may see and measure the power by which all this wrong is sustained. From no common source could it proceed. In its perpetration was needed a spirit of vaulting ambition which would hesitate at nothing; a hardihood of purpose which was insensible to the judgment of mankind; a madness for Slavery, which should disregard the constitution, the laws, and all the great examples

of our history; also a consciousness of power such as comes from the habit of power; a combination of energies found only in a hundred arms directed by a hundred eyes; a control of Public Opinion, through venal pens and a prostituted press; an ability to subsidize crowds in every vocation of life—the politician with his local importance, the lawyer with his subtle tongue, and even the authority of the judge on the bench; and a familiar use of men in places high and low, so that none, from the President to the lowest border postmaster, should decline to be its tool;—all these things and more were needed; and they were found in the Slave Power of our Republic. There, sir, stands the criminal—all unmasked before you—heartless, grasping, and tyrannical—with an audacity beyond that of Verres, a subtlety beyond that of Machiavel, a meanness beyond that of Bacon, and an ability beyond that of Hastings. Justice to Kansas can be secured only by the prostration of this influence; for this is the Power behind—greater than any President—which succors and sustains the Crime. Nay, the proceedings I now arraign derive their fearful consequence only from this connection.

In now opening this great matter, I am not insensible to the austere demands of the occasion; but the dependence of the crime against Kansas

upon the Slave Power is so peculiar and important, that I trust to be pardoned while I impress it by an illustration, which to some may seem trivial. It is related in Northern mythology, that the god of Force, visiting an enchanted region, was challenged by his royal entertainer to what seemed a humble feat of strength—merely, sir, to lift a cat from the ground. The god smiled at the challenge, and, calmly placing his hand under the belly of the animal, with superhuman strength, strove, while the back of the feline monster arched far upwards, even beyond reach, and one paw actually forsook the earth, until at last the discomfited divinity desisted; but he was little surprised at his defeat, when he learned that this creature, which seemed to be a cat, and nothing more, was not merely a cat, but that it belonged to and was a part of the great Terrestrial Serpent, which, in its innumerable folds, encircled the whole globe. Even so the creature, whose paws are now fastened upon Kansas, whatever it may seem to be, constitutes in reality a part of the Slave Power, which, with loathsome folds, is now coiled about the whole land. Thus do I expose the extent of the present contest, where we encounter not merely local resistance, but also the unconquered sustaining arm behind. But out of the vastness of the Crime attempted, with all its woe and shame, I derive a

well-founded assurance of a commensurate vastness of effort against it, by the aroused masses of the country, determined not only to vindicate Right against Wrong, but to redeem the Republic from the thraldom of that Oligarchy, which prompts, directs, and concentrates, the distant wrong.

Such is the Crime, and such the criminal, which it is my duty in this debate to expose; and, by the blessing of God, this duty shall be done completely to the end. But this will not be enough. The Apologies, which, with strange hardihood, have been offered for the Crime, must be torn away, so that it shall stand forth, without a single rag, or fig-leaf, to cover its vileness. And, finally, the True Remedy must be shown. The subject is complex in its relations, as it is transcendent in importance; and yet, if I am honored by your attention, I hope to exhibit it clearly in all its parts, while I conduct you to the inevitable conclusion that Kansas must be admitted at once, with her present constitution, as a State of this Union, and give a new star to the blue field of our national flag. And here I derive satisfaction from the thought, that the cause is so strong in itself as to bear even the infirmities of its advocates; nor can it require any thing beyond that simplicity of treatment and moderation of manner which I desire to cultivate. Its true character is such, that,

like Hercules, it will conquer just so soon as it is recognized.

My task will be divided under three different heads: *first*, THE CRIME AGAINST KANSAS, in its origin and extent; *secondly*, THE APOLOGIES FOR THE CRIME; and, *thirdly*, THE TRUE REMEDY.

But, before entering upon the argument, I must say something of a general character, particularly in response to what has fallen from senators who have raised themselves to eminence on this floor in championship of human wrongs; I mean the senator from South Carolina [Mr. BUTLER], and the senator from Illinois [Mr. DOUGLAS], who, though unlike as Don Quixote and Sancho Panza, yet, like this couple, sally forth together in the same adventure. I regret much to miss the elder senator from his seat; but the cause against which he has run a tilt with such activity of animosity demands that the opportunity of exposing him should not be lost; and it is for the cause that I speak. The senator from South Carolina has read many books of chivalry, and believes himself a chivalrous knight, with sentiments of honor and courage. Of course he has chosen a mistress to whom he has made his vows, and who, though ugly to others, is always lovely to him; though polluted in the sight of the world, is chaste in his sight;—I mean the harlot Slavery. For her his

tongue is always profuse with words. Let her be impeached in character, or any proposition made to shut her out from the extension of her wantonness, and no extravagance of manner or hardihood of assertion is then too great for this senator. The phrensy of Don Quixote in behalf of his wench Dulcinea del Toboso is all surpassed. The asserted rights of Slavery, which shock equality of all kinds, are cloaked by a fantastic claim of equality. If the slave States cannot enjoy what, in mockery of the great fathers of the Republic, he misnames equality under the Constitution,—in other words, the full power in the National Territories to compel fellow-men to unpaid toil, to separate husband and wife, and to sell little children at the auction-block,—then, sir, the chivalric senator will conduct the State of South Carolina out of the Union! Heroic knight! Exalted senator! A second Moses come for a second exodus!

But, not content with this poor menace, which we have been twice told was "measured," the senator, in the unrestrained chivalry of his nature, has undertaken to apply opprobrious words to those who differ from him on this floor. He calls them "sectional and fanatical;" and opposition to the usurpation in Kansas he denounces as "uncalculating fanaticism." To be sure, these charges lack all grace of originality, and all sentiment of truth;

but the adventurous senator does not hesitate. He is the uncompromising, unblushing representative on this floor of a flagrant *sectionalism*, which now domineers over the Republic; and yet, with a ludicrous ignorance of his own position,—unable to see himself as others see him,—or with an effrontery which even his white head ought not to protect from rebuke, he applies to those here who resist his *sectionalism* the very epithet which designates himself. The men who strive to bring back the government to its original policy, when Freedom and not Slavery was national, while Slavery and not Freedom was sectional, he arraigns as *sectional*. This will not do. It involves too great a perversion of terms. I tell that senator that it is to himself, and to the "organization" of which he is the "committed advocate," that this epithet belongs. I now fasten it upon them. For myself, I care little for names; but, since the question has been raised here, I affirm that the Republican party of the Union is in no just sense *sectional*, but, more than any other party, *national;* and that it now goes forth to dislodge from the high places of the government the tyrannical sectionalism of which the senator from South Carolina is one of the maddest zealots.

To the charge of fanaticism I also reply. Sir, fanaticism is found in an enthusiasm or exaggera-

tion of opinions, particularly on religious subjects; but there may be a fanaticism for evil as well as for good. Now, I will not deny that there are persons among us loving Liberty too well for their personal good, in a selfish generation. Such there may be, and, for the sake of their example, would that there were more! In calling them "fanatics," you cast contumely upon the noble army of martyrs, from the earliest day down to this hour; upon the great tribunes of human rights, by whom life, liberty, and happiness on earth, have been secured; upon the long line of devoted patriots, who, throughout history, have truly loved their country; and upon all, who, in noble aspirations for the general good, and in forgetfulness of self, have stood out before their age, and gathered into their generous bosoms the shafts of tyranny and wrong, in order to make a pathway for truth. You discredit Luther, when alone he nailed his articles to the door of the church at Wittenberg, and then, to the imperial demand that he should retract, firmly replied, "Here I stand; I cannot do otherwise, so help me God!" You discredit Hampden, when alone he refused to pay the few shillings of ship-money, and shook the throne of Charles I.; you discredit Milton, when, amidst the corruptions of a heartless court, he lived on, the lofty friend of Liberty, above question or suspicion; you discredit

Russell and Sidney, when, for the sake of their country, they calmly turned from family and friends, to tread the narrow steps of the scaffold; you discredit those early founders of American institutions, who preferred the hardships of a wilderness, surrounded by a savage foe, to injustice on beds of ease; you discredit our later fathers, who, few in numbers, and weak in resources, yet strong in their cause, did not hesitate to brave the mighty power of England, already encircling the globe with her morning drum-beats. Yes, sir, of such are the fanatics of history, according to the senator. But I tell that senator that there are characters badly eminent, of whose fanaticism there can be no question. Such were the ancient Egyptians, who worshipped divinities in brutish forms; the Druids, who darkened the forests of oak in which they lived by sacrifices of blood; the Mexicans, who surrendered countless victims to the propitiation of their obscene idols; the Spaniards, who, under Alva, sought to force the Inquisition upon Holland, by a tyranny kindred to that now employed to force Slavery upon Kansas; and such were the Algerines, when, in solemn conclave, after listening to a speech not unlike that of the senator from South Carolina, they resolved to continue the slavery of white Christians, and to extend it to the countrymen of Washington! Ay,

sir, extend it! And in this same dreary catalogue faithful history must record all who now, in an enlightened age, and in a land of boasted freedom, stand up, in perversion of the constitution, and in denial of immortal truth, to fasten a new shackle upon their fellow-man. If the senator wishes to see fanatics, let him look round among his own associates; let him look at himself.

But I have not done with the senator. There is another matter, regarded by him of such consequence, that he interpolated it into the speech of the senator from New Hampshire [Mr. HALE], and also announced that he had prepared himself with it, to take in his pocket all the way to Boston, when he expected to address the people of that community. On this account, and for the sake of truth, I stop for one moment, and tread it to the earth. The North, according to the senator, was engaged in the slave-trade, and helped to introduce slaves into the Southern States; and this undeniable fact he proposed to establish by statistics, in stating which, his errors surpassed his sentences in number. But I let these pass for the present, that I may deal with his argument. Pray, sir, is the acknowledged turpitude of a departed generation to become an example for us? And yet the suggestion of the senator, if entitled to any consideration in this discussion, must have this

extent. I join my friend from New Hampshire in thanking the senator from South Carolina for adducing this instance; for it gives me an opportunity to say that the northern merchants, with homes in Boston, Bristol, Newport, New York, and Philadelphia, who catered for Slavery during the years of the slave-trade, are the lineal progenitors of the northern men, with homes in these places, who lend themselves to Slavery in our day; and especially that all, whether north or south, who take part, directly or indirectly, in the conspiracy against Kansas, do but continue the work of the slave-traders, which you condemn. It is true—too true, alas!—that our fathers were engaged in this traffic; but that is no apology for it. And, in repelling the authority of this example, I repel also the trite argument founded on the earlier example of England. It is true that our mother country, at the peace of Utrecht, extorted from Spain the Assiento Contract, securing the monopoly of the slave-trade with the Spanish Colonies, as the whole price of all the blood of great victories; that she higgled at Aix-la-Chapelle for another lease of this exclusive traffic; and again, at the treaty of Madrid, clung to the wretched piracy. It is true that in this spirit the power of the mother country was prostituted to the same base ends in her American Colonies, against

indignant protests from our fathers. All these things now rise up in judgment against her. Let us not follow the senator from South Carolina to do the very evil to-day which in another generation we condemn.

As the senator from South Carolina is the Don Quixote, the senator from Illinois [Mr. DOUGLAS] is the squire of Slavery, its very Sancho Panza, ready to do all its humiliating offices. This senator, in his labored address, vindicating his labored report—piling one mass of elaborate error upon another mass—constrained himself, as you will remember, to unfamiliar decencies of speech. Of that address I have nothing to say at this moment, though before I sit down I shall show something of its fallacies. But I go back now to an earlier occasion, when, true to his native impulses, he threw into this discussion, "for a charm of powerful trouble," personalities most discreditable to this body. I will not stop to repel the imputations which he cast upon myself; but I mention them to remind you of the "sweltered venom, sleeping got," which, with other poisoned ingredients, he cast into the cauldron of this debate. Of other things I speak. Standing on this floor, the senator issued his rescript, requiring submission to the usurped power of Kansas; and this was accompanied by a manner—all his own—

such as befits the tyrannical threat. Very well. Let the senator try. I tell him now that he cannot enforce any such submission. The senator, with the slave power at his back, is strong, but he is not strong enough for this purpose. He is bold. He shrinks from nothing. Like Danton, he may cry, "*l'audace! l'audace! toujours l'audace!*" but even his audacity cannot compass this work. The senator copies the British officer, who, with boastful swagger, said that with the hilt of his sword he would cram the "stamps" down the throats of the American people; and he will meet a similar failure. He may convulse this country with civil feud. Like the ancient madman, he may set fire to this temple of Constitutional Liberty, grander than Ephesian dome; but he cannot enforce obedience to that tyrannical usurpation.

The senator dreams that he can subdue the North. He disclaims the open threat, but his conduct still implies it. How little that senator knows himself, or the strength of the cause which he persecutes! He is but a mortal man; against him is an immortal principle. With finite power he wrestles with the infinite, and he must fall. Against him are stronger battalions than any marshalled by mortal arm—the inborn, ineradicable, invincible sentiments of the human heart; against

him is nature in all her subtle forces; against him is God. Let him try to subdue these.

But I pass from these things, which, though belonging to the very heart of the discussion, are yet preliminary in character, and press at once to the main question:

I. It belongs to me now, in the first place, to expose the CRIME AGAINST KANSAS, in its origin and extent. Logically, this is the beginning of the argument. I say Crime, and deliberately adopt this strongest term, as better than any other denoting the consummate transgression. I would go further, if language could go further. It is the *Crime of Crimes*—surpassing far the old *crimen majestatis*, pursued with vengeance by the laws of Rome, and containing all other crimes, as the greater contains the less. I do not go too far, when I call it the *Crime against Nature*, from which the soul recoils, and which language refuses to describe. To lay bare this enormity, I now proceed. The whole subject has already become a twice-told tale, and its renewed recital will be a renewal of its sorrow and shame; but I shall not hesitate to enter upon it. The occasion requires it from the beginning.

It has been well remarked by a distinguished historian of our country, that at the Ithuriel touch of the Missouri discussion, the slave interest,

hitherto hardly recognized as a distinct element in our system, started up portentous and dilated, with threats and assumptions, which are the origin of our existing national politics. This was in 1820. The discussion ended with the admission of Missouri as a slaveholding State, and the prohibition of Slavery in all the remaining territory west of the Mississippi, and north of 36° 30′, leaving the condition of other territory, south of this line, or subsequently acquired, untouched by the arrangement. Here was a solemn act of legislation, called at the time a compromise, a covenant, a compact, first brought forward in this body by a slaveholder, vindicated by slaveholders in debate, finally sanctioned by slaveholding votes, also upheld at the time by the essential approbation of a slaveholding President, James Monroe, and his Cabinet, of whom a majority were slaveholders, including Mr. Calhoun himself; and this compromise was made the condition of the admission of Missouri, without which that State could not have been received into the Union. The bargain was simple, and was applicable, of course, only to the territory named. Leaving all other territory to await the judgment of another generation, the South said to the North, Conquer your prejudices so far as to admit Missouri as a slave State, and, in consideration of this much-coveted boon, Slavery shall be

prohibited forever in all the remaining Louisiana Territory above 36° 30′; and the North yielded.

In total disregard of history, the President, in his annual message, has told us that this compromise "was *reluctantly* acquiesced in by the Southern States." Just the contrary is true. It was the work of slaveholders, and was crowded by their concurring votes upon a reluctant North. At the time, it was hailed by slaveholders as a victory. Charles Pinckney, of South Carolina, in an oft-quoted letter, written at three o'clock on the night of its passage, says, "It is considered here by the slaveholding States as a great triumph." At the North it was accepted as a defeat, and the friends of Freedom everywhere throughout the country bowed their heads with mortification. But little did they know the completeness of their disaster. Little did they dream that the prohibition of Slavery in the Territory, which was stipulated as the price of their fatal capitulation, would also at the very moment of its maturity be wrested from them.

Time passed, and it became necessary to provide for this Territory an organized government. Suddenly, without notice in the public press, or the prayer of a single petition, or one word of open recommendation from the President,—after an acquiescence of thirty-three years, and the irreclaimable possession by the South of its special

share under this compromise, — in violation of every obligation of honor, compact, and good neighborhood,—and in contemptuous disregard of the out-gushing sentiments of an aroused North, this time-honored prohibition, in itself a Landmark of Freedom, was overturned, and the vast region now known as Kansas and Nebraska was opened to Slavery. It was natural that a measure thus repugnant in character should be pressed by arguments mutually repugnant. It was urged on two principal reasons, so opposite and inconsistent as to slap each other in the face: one being that, by the repeal of the prohibition, the Territory would be left open to the entry of slaveholders with their slaves, without hindrance; and the other being, that the people would be left absolutely free to determine the question for themselves, and to prohibit the entry of slaveholders with their slaves, if they should think best. With some, the apology was the alleged rights of slaveholders; with others, it was the alleged rights of the people. With some, it was openly the extension of Slavery; and with others, it was openly the establishment of Freedom, under the guise of Popular Sovereignty. Of course, the measure, thus upheld in defiance of reason, was carried through Congress in defiance of all the securities of legislation; and I mention these things that

you may see in what foulness the present Crime was engendered.

It was carried, *first*, by *whipping in* to its support, through Executive influence and patronage, men who acted against their own declared judgment, and the known will of their constituents. *Secondly*, by *foisting out of place*, both in the Senate and House of Representatives, important business, long pending, and usurping its room. *Thirdly*, by *trampling under foot* the rules of the House of Representatives, always before the safeguard of the minority. And *fourthly*, by *driving it to a close* during the very session in which it originated, so that it might not be arrested by the indignant voice of the people. Such are some of the means by which this snap judgment was obtained. If the clear will of the people had not been disregarded, it could not have passed. If the Government had not nefariously interposed its influence, it could not have passed. If it had been left to its natural place in the order of business, it could not have passed. If the rules of the House and the rights of the minority had not been violated, it could not have passed. If it had been allowed to go over to another Congress, when the people might be heard, it would have been ended; and then the Crime we now deplore would have been without its first seminal life.

Mr. President, I mean to keep absolutely within the limits of parliamentary propriety. I make no personal imputations; but only with frankness, such as belongs to the occasion and my own character, describe a great historical act, which is now enrolled in the Capitol. Sir, the Nebraska Bill was in every respect a swindle. It was a swindle by the South of the North. It was, on the part of those who had already completely enjoyed their share of the Missouri Compromise, a swindle of those whose share was yet absolutely untouched; and the plea of unconstitutionality set up—like the plea of usury after the borrowed money has been enjoyed—did not make it less a swindle. Urged as a Bill of Peace, it was a swindle of the whole country. Urged as opening the doors to slave-masters with their slaves, it was a swindle of the asserted doctrine of Popular Sovereignty. Urged as sanctioning Popular Sovereignty, it was a swindle of the asserted rights of slave-masters. It was a swindle of a broad territory, thus cheated on protection against Slavery. It was a swindle of a great cause, early espoused by Washington, Franklin, and Jefferson, surrounded by the best fathers of the Republic. Sir, it was a swindle of God-given inalienable rights. Turn it over, look at it on all sides, and it is everywhere a swindle; and, if the word I now employ has not the authority of classi-

cal usage, it has, on this occasion, the indubitable authority of fitness. No other word will adequately express the mingled meanness and wickedness of the cheat.

Its character was still further apparent in the general structure of the bill. Amidst overflowing professions of regard for the sovereignty of the people in the Territory, they were despoiled of every essential privilege of sovereignty. They were not allowed to choose their Governor, Secretary, Chief Justice, Associate Justices, Attorney, or Marshall—all of whom are sent from Washington; nor were they allowed to regulate the salaries of any of these functionaries, or the daily allowance of the legislative body, or even the pay of the clerks and door-keepers; but they were left free to adopt Slavery. And this was called Popular Sovereignty! Time does not allow, nor does the occasion require, that I should stop to dwell on this transparent device to cover a transcendent wrong. Suffice it to say, that Slavery is in itself an arrogant denial of Human Rights, and by no human reason can the power to establish such a wrong be placed among the attributes of any just sovereignty. In refusing it such a place, I do not deny popular rights, but uphold them; I do not restrain popular rights, but extend them. And, sir, to this conclusion you must yet come, unless

deaf, not only to the admonitions of political justice, but also to the genius of our own constitution, under which, when properly interpreted, no valid claim for Slavery can be set up anywhere in the national territory. The senator from Michigan [Mr. Cass] may say, in response to the senator from Mississippi [Mr. Brown], that Slavery cannot go into the Territory under the constitution, without legislative introduction; and permit me to add, in response to both, that Slavery cannot go there at all. *Nothing can come out of nothing;* and there is absolutely nothing in the constitution out of which Slavery can be derived, while there are provisions, which, when properly interpreted, make its existence anywhere within the exclusive national jurisdiction impossible.

The offensive provision in the bill was in its form a legislative anomaly, utterly wanting the natural directness and simplicity of an honest transaction. It did not undertake openly to repeal the old Prohibition of Slavery, but seemed to mince the matter, as if conscious of the swindle. It is said that this Prohibition, "being inconsistent with the principle of non-intervention by Congress with Slavery in the States and Territories as recognized by the legislation of 1850, commonly called the Compromise Measures, is hereby declared inoperative and void." Thus, with insidious

ostentation, was it pretended that an act, violating the greatest compromise of our legislative history, and setting loose the foundations of all compromise, was derived out of a compromise. Then followed in the Bill the further declaration, which is entirely without precedent, and which has been aptly called "a stump speech in its belly," namely, "it being the true intent and meaning of this act, not to legislate Slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the constitution of the United States." Here were smooth words, such as belong to a cunning tongue, enlisted in a bad cause. But, whatever may have been their various hidden meanings, this at least was evident, that, by their effect, the Congressional Prohibition of Slavery, which had always been regarded as a seven-fold shield, covering the whole Louisiana Territory north of 36° 30′, was now removed, while a principle was declared, which would render the supplementary Prohibition of Slavery in Minnesota, Oregon, and Washington, "inoperative and void," and thus open to Slavery all these vast regions, now the rude cradles of mighty States. Here you see the magnitude of the mischief contemplated. But my purpose now is with the Crime against Kansas,

and I shall not stop to expose the conspiracy beyond.

Mr. President, men are wisely presumed to intend the natural consequences of their conduct, and to seek what their acts seem to promote. Now, the Nebraska Bill, on its very face, openly cleared the way for Slavery, and it is not wrong to presume that its originators intended the natural consequences of such an act, and sought in this way to extend Slavery. Of course, they did. And this is the first stage in the Crime against Kansas.

But this was speedily followed by other developments. The bare-faced scheme was soon whispered, that Kansas must be a slave State. In conformity with this idea was the Government of this unhappy Territory organized in all its departments; and thus did the President, by whose complicity the Prohibition of Slavery had been overthrown, lend himself to a new complicity—giving to the conspirators a lease of connivance, amounting even to copartnership. The Governor, Secretary, Chief Justice, Associate Justices, Attorney, and Marshal, with a whole caucus of other stipendiaries, nominated by the President, and confirmed by the Senate, were all commended as friendly to Slavery. No man, with the sentiments of Washington, or Jefferson, or Franklin, found any favor; nor is it too much to say, that, had these great patriots

once more come among us, not one of them, with his recorded unretracted opinions on Slavery, could have been nominated by the President or confirmed by the Senate for any post in that Territory. With such auspices the conspiracy proceeded. Even in advance of the Nebraska Bill, secret societies were organized in Missouri, ostensibly to protect her institutions; and afterwards, under the name of "Self-Defensive Associations," and of "Blue Lodges," these were multiplied throughout the western counties of that State, *before any counter-movement from the North.* It was confidently anticipated, that, by the activity of these societies, and the interest of slaveholders everywhere, with the advantage derived from the neighborhood of Missouri, and the influence of the Territorial Government, Slavery might be introduced into Kansas, quietly but surely, without arousing a conflict; that the crocodile egg might be stealthily dropped in the sunburnt soil, there to be hatched unobserved until it sent forth its reptile monster.

But the conspiracy was unexpectedly balked. The debate, which convulsed Congress, had stirred the whole country. Attention from all sides was directed upon Kansas, which at once became the favorite goal of emigration. The Bill had loudly declared that its object was "to leave the people perfectly free to form and regulate their domestic

institutions in their own way;" and its supporters everywhere challenged the determination of the question between Freedom and Slavery by a competition of emigration. Thus, while opening the Territory to Slavery, the Bill also opened it to emigrants from every quarter, who might by their votes redress the wrong. The populous North, stung by a sharp sense of outrage, and inspired by a noble cause, poured into the debatable land, and promised soon to establish a supremacy of numbers there, involving, of course, a just supremacy of Freedom.

Then was conceived the consummation of the Crime against Kansas. What could not be accomplished peaceably, was to be accomplished forcibly. The reptile monster, that could not be quietly and securely hatched there, was to be pushed full-grown into the Territory. All efforts were now given to the dismal work of forcing Slavery on Free Soil. In flagrant derogation of the very Popular Sovereignty whose name helped to impose this Bill upon the country, the atrocious object was now distinctly avowed. And the avowal has been followed by the act. Slavery has been forcibly introduced into Kansas, and placed under the formal safeguards of pretended law. How this was done, belongs to the argument.

In depicting this consummation, the simplest

outline, without one word of color, will be best. Whether regarded in its mass or its details, in its origin or its result, it is all blackness, illumined by nothing from itself, but only by the heroism of the undaunted men and women whom it environed. A plain statement of facts will be a picture of fearful truth, which faithful history will preserve in its darkest gallery. In the foreground all will recognize a familiar character, in himself a connecting link between the President and the border ruffian,—less conspicuous for ability than for the exalted place he has occupied,—who once sat in the seat where you now sit, sir; where once sat John Adams and Thomas Jefferson; also, where once sat Aaron Burr. I need not add the name of David R. Atchison. You have not forgotten that, at the session of Congress immediately succeeding the Nebraska Bill, he came tardily to his duty here, and then, after a short time, disappeared. The secret has been long since disclosed. Like Catiline, he stalked into this Chamber, reeking with conspiracy—*immo in Senatum venit*—and then like Catiline he skulked away—*abiit*, *excessit*, *evasit*, *erupit*—to join and provoke the conspirators, who at a distance awaited their congenial chief. Under the influence of his malign presence the Crime ripened to its fatal fruits, while the similitude with Catiline was again renewed in the

sympathy, not even concealed, which he found in the very Senate itself, where, beyond even the Roman example, a senator has not hesitated to appear as his open compurgator.

And now, as I proceed to show the way in which this Territory was overrun and finally subjugated to Slavery, I desire to remove in advance all question with regard to the authority on which I rely. The evidence is secondary; but it is the best which, in the nature of the case, can be had, and it is not less clear, direct, and peremptory, than any by which we are assured of the campaigns in the Crimea or the fall of Sevastopol. In its manifold mass, I confidently assert that it is such a body of evidence as the human mind is not able to resist. It is found in the concurring reports of the public press; in the letters of correspondents; in the testimony of travellers; and in the unaffected story to which I have listened from leading citizens, who, during this winter, have "come flocking" here from that distant Territory. It breaks forth in the irrepressible outcry, reaching us from Kansas, in truthful tones, which leave no ground of mistake. It addresses us in formal complaints, instinct with the indignation of a people determined to be free, and unimpeachable as the declarations of a murdered man on his dying bed against his murderer. And let me add,

that all this testimony finds an echo in the very statute-book of the conspirators, and also in language dropped from the President of the United States.

I begin with an admission from the President himself, in whose sight the people of Kansas have little favor. And yet, after arraigning the innocent emigrants from the North, he was constrained to declare that their conduct was "far from justifying the *illegal* and *reprehensible* counter-movement which ensued." Then, by the reluctant admission of the Chief Magistrate, there was a counter-movement, at once *illegal* and *reprehensible*. I thank thee, President, for teaching me these words; and I now put them in the front of this exposition, as in themselves a confession. Sir, this "illegal and reprehensible counter-movement" is none other than the dreadful Crime —under an apologetical *alias*—by which, through successive invasions, Slavery has been forcibly planted in this Territory.

Next to this Presidential admission must be placed the details of the invasions, which I now present as not only "illegal and reprehensible," but also unquestionable evidence of the resulting Crime.

The violence, for some time threatened, broke forth on the 29th November, 1854, at the first

election of a Delegate to Congress, when companies from Missouri, amounting to upwards of one thousand, crossed into Kansas, and, with force and arms, proceeded to vote for Mr. Whitfield, the candidate of Slavery. An eye-witness, General Pomeroy, of superior intelligence and perfect integrity, thus describes this scene:

"The first ballot-box that was opened upon our virgin soil was closed to us by overpowering numbers and impending force. So bold and reckless were our invaders, that they cared not to conceal their attack. They came upon us, not in the guise of voters, to steal away our franchise, but boldly and openly, to snatch it with a strong hand. They came directly from their own homes, and in compact and organized bands, with arms in hand, and provisions for the expedition, marched to our polls, and, when their work was done, returned whence they came."

Here was an outrage at which the coolest blood of patriotism boils. Though, for various reasons unnecessary to develop, the busy settlers allowed the election to pass uncontested, still the means employed were none the less "illegal and reprehensible."

This infliction was a significant prelude to the grand invasion of the 30th March, 1855, at the election of the first Territorial Legislature under the organic law, when an armed multitude from Missouri entered the Territory, in larger numbers than General Taylor commanded at Buena Vista,

or than General Jackson had within his lines at New Orleans—larger far than our fathers rallied on Bunker Hill. On they came as an "army with banners," organized in companies, with officers, munitions, tents, and provisions, as though marching upon a foreign foe, and breathing loud-mouthed threats that they would carry their purpose, if need be, by the bowie-knife and revolver. Among them, according to his own confession, was David R. Atchison, belted with the vulgar arms of his vulgar comrades. Arrived at their several destinations on the night before the election, the invaders pitched their tents, placed their sentries, and waited for the coming day. The same trustworthy eye-witness whom I have already quoted says, of one locality:

"Baggage-wagons were there, with arms and ammunition enough for a protracted fight, and among them two brass field-pieces, ready charged. They came with drums beating and flags flying, and their leaders were of the most prominent and conspicuous men of their State."

Of another locality he says:

"The invaders came together in one armed and organized body, with trains of fifty wagons, besides horsemen, and, the night before election, pitched their camp in the vicinity of the polls; and, having appointed their own judges in place of those who, from intimidation or otherwise, failed to attend, they voted without any proof of residence."

With force they were able, on the succeeding day, in some places, to intimidate the judges of elections; in others, to substitute judges of their own appointment; in others, to wrest the ballot-boxes from their rightful possessors, and everywhere to exercise a complete control of the election, and thus, by a preternatural audacity of usurpation, impose a Legislature upon the free people of Kansas. Thus was conquered the Sevastopol of that Territory!

But it was not enough to secure the Legislature. The election of a Member of Congress recurred on the 2d October, 1855, and the same foreigners, who had learned their strength, again manifested it. Another invasion, in controlling numbers, came from Missouri, and once more forcibly exercised the electoral franchise in Kansas.

At last, in the latter days of November, 1855, a storm, long brewing, burst upon the heads of the devoted people. The ballot-boxes had been violated, and a Legislature installed, which had proceeded to carry out the conspiracy of the invaders; but the good people of the Territory, born to Freedom, and educated as American citizens, showed no signs of submission. Slavery, though recognized by pretended law, was in many places practically an outlaw. To the lawless borderers, this was hard to bear; and, like the Heathen of old,

they raged, particularly against the town of Lawrence, already known, by the firmness of its principles and the character of its citizens, as the citadel of the good cause. On this account they threatened, in their peculiar language, to "wipe it out." Soon the hostile power was gathered for this purpose. The wickedness of this invasion was enhanced by the way in which it began. A citizen of Kansas, by the name of Dow, was murdered by one of the partisans of Slavery, under the name of "law and order." Such an outrage naturally aroused indignation, and provoked threats. The professors of "law and order" allowed the murderer to escape; and, still further to illustrate the irony of the name they assumed, seized the friend of the murdered man, whose few neighbors soon rallied for his rescue. This transaction, though totally disregarded in its chief front of wickedness, became the excuse for unprecedented excitement. The weak Governor with no faculty higher than servility to Slavery,—whom the President, in his official delinquency, had appointed to a trust worthy only of a well-balanced character,—was frightened from his propriety. By proclamation he invoked the Territory. By telegraph he invoked the President. The Territory would not respond to his senseless appeal. The President was dumb; but the proclamation was circulated

throughout the border counties of Missouri; and Platte, Clay, Carlisle, Sabine, Howard, and Jefferson, each of them contributed a volunteer company, recruited from the roadsides, and armed with weapons which chance afforded,—known as the "shot-gun militia,"—with a Missouri officer as commissary-general, dispensing rations, and another Missouri officer as general-in-chief; with two wagon-loads of rifles, belonging to Missouri, drawn by six mules, from its arsenal at Jefferson City; with seven pieces of cannon, belonging to the United States, from its arsenal at Liberty; and this formidable force, amounting to at least eighteen hundred men, terrible with threats, with oaths, and with whiskey, crossed the borders, and encamped in larger part at Wacherusa, over against the doomed town of Lawrence, which was now threatened with destruction. With these invaders was the Governor, who by this act levied war upon the people he was sent to protect. In camp with him was the original Catiline of the conspiracy, while by his side was the docile Chief Justice and the docile Judges. But this is not the first instance in which an unjust Governor has found tools where he ought to have found justice. In the great impeachment of Warren Hastings, the British orator by whom it was conducted exclaims, in words strictly applicable to the misdeed

I now arraign, "Had he not the Chief Justice, the tamed and domesticated Chief Justice, who waited on him like a familiar spirit?" Thus was this invasion countenanced by those who should have stood in the breach against it. For more than a week it continued, while deadly conflict seemed imminent. I do not dwell on the heroism by which it was encountered, or the mean retreat to which it was compelled; for that is not necessary to exhibit the Crime which you are to judge. But I cannot forbear to add other additional features, furnished in the letter of a clergyman, written at the time, who saw and was a part of what he describes:

"Our citizens have been shot at, *and, in two instances, murdered*, our houses invaded, hay-ricks burnt, corn and other provisions plundered, cattle driven off, all communication cut off between us and the States, wagons on the way to us with provisions stopped and plundered, and the drivers taken prisoners, and we in hourly expectation of an attack. *Nearly every man has been in arms in the village.* Fortifications have been thrown up, by incessant labor, night and day. The sound of the drum, and the tramp of armed men, resounded through our streets; *families fleeing, with their household goods, for safety.* Day before yesterday, the report of cannon was heard at our house from the direction of Lecompton. Last Thursday, one of our neighbors,—one of the most peaceable and excellent of men, from Ohio,—on his way home, was set upon by a gang of twelve men on horseback, and shot down. Over eight hundred men are gathered, under arms, at Lawrence. As yet, no act of vio-

lence has been perpetrated by those on our side. *No blood of retaliation stains our hands. We stand and are ready to act purely in the defence of our homes and lives.*"

But the catalogue is not yet complete. On the 15th of December, when the people assembled to vote on the constitution then submitted for adoption,—only a few days after the Treaty of Peace between the Governor on the one side and the town of Lawrence on the other,—another and fifth irruption was made. But I leave all this untold. Enough of these details has been given.

Five several times, and more, have these invaders entered Kansas in armed array; and thus five several times, and more, have they trampled upon the organic law of the Territory. But these extraordinary expeditions are simply the extraordinary witnesses to successive uninterrupted violence. They stand out conspicuous, but not alone. The spirit of evil, in which they had their origin, was wakeful and incessant. From the beginning, it hung upon the skirts of this interesting Territory, harrowing its peace, disturbing its prosperity, and keeping its inhabitants under the painful alarms of war. Thus was all security of person, of property, and of labor, overthrown; and when I urge this incontrovertible fact, I set forth a wrong which is small only by the side of the giant wrong, for the consummation of which all this was done. Sir,

what is man, what is government, without security; in the absence of which, nor man nor government can proceed in development, or enjoy the fruits of existence? Without security, civilization is cramped and dwarfed. Without security, there can be no true Freedom. Nor shall I say too much, when I declare that security, guarded, of course, by its offspring Freedom, is the true end and aim of government. Of this indispensable boon the people of Kansas have thus far been despoiled—absolutely, totally. All this is aggravated by the nature of their pursuits, rendering them peculiarly sensitive to interruption, and, at the same time, attesting their innocence. They are for the most part engaged in the cultivation of the soil, which from time immemorial has been the sweet employment of undisturbed industry. Contented in the returns of bounteous nature and the shade of his own trees, the husbandman is not aggressive; accustomed to produce, and not to destroy, he is essentially peaceful, unless his home is invaded, when his arm derives vigor from the soil he treads, and his soul inspiration from the heavens beneath whose canopy he daily toils. And such are the people of Kansas, whose security has been overthrown. Scenes from which civilization averts her countenance have been a part of their daily life. The border incursions, which, in bar-

barous ages or barbarous lands, have fretted and "harried" an exposed people, have been here renewed, with this peculiarity, that our border robbers do not simply levy black-mail and drive off a few cattle, like those who acted under the inspiration of the Douglas of other days; that they do not seize a few persons, and sweep them away into captivity, like the African slave-traders whom we brand as pirates; but that they commit a succession of acts, in which all border sorrows and all African wrongs are revived together on American soil, and which for the time being annuls all protection of all kinds, and enslaves the whole Territory.

Private griefs mingle their poignancy with public wrongs. I do not dwell on the anxieties which families have undergone, exposed to sudden assault, and obliged to lie down to rest with the alarms of war ringing in their ears, not knowing that another day might be spared to them. Throughout this bitter winter, with the thermometer at thirty degrees below zero, the citizens of Lawrence have been constrained to sleep under arms, with sentinels treading their constant watch against surprise. But our souls are wrung by individual instances. In vain do we condemn the cruelties of another age—the refinements of torture to which men have been doomed, the rack

and thumb-screw of the Inquisition, the last agonies of the regicide Ravaillac, "Luke's iron crown, and Damien's bed of steel,"—for kindred outrages have disgraced these borders. Murder has stalked, assassination has skulked in the tall grass of the prairie, and the vindictiveness of man has assumed unwonted forms. A preacher of the Gospel of the Saviour has been ridden on a rail, and then thrown into the Missouri, fastened to a log, and left to drift down its muddy, tortuous current. And lately we have had the tidings of that enormity without precedent—a deed without a name—where a candidate for the Legislature was most brutally gashed with knives and hatchets, and then, after weltering in blood on the snow-clad earth, was trundled along with gaping wounds, to fall dead in the face of his wife. It is common to drop a tear of sympathy over the trembling solicitudes of our early fathers, exposed to the stealthy assault of the savage foe; and an eminent American artist has pictured this scene in a marble group of rare beauty, on the front of the National Capitol, where the uplifted tomahawk is arrested by the strong arm and generous countenance of the pioneer, while his wife and children find shelter at his feet; but now the tear must be dropped over the trembling solicitudes of fellow-citizens, seeking to build a new State in Kansas, and ex-

posed to the perpetual assault of murderous robbers from Missouri. Hirelings, picked from the drunken spew and vomit of an uneasy civilization —in the form of men:

> "Ay, in the catalogue ye go for men;
> As hounds and greyhounds, mongrels, spaniels, curs,
> Shoughs, water-rugs, and demi-wolves, are called
> All by the name of dogs:"

leashed together by secret signs and lodges, have renewed the incredible atrocities of the Assassins and of the Thugs; showing the blind submission of the Assassins to the Old Man of the Mountain, in robbing Christians on the road to Jerusalem, and showing the heartlessness of the Thugs, who, avowing that murder was their religion, waylaid travellers on the great road from Agra to Delhi; with the more deadly bowie-knife for the dagger of the Assassin, and the more deadly revolver for the noose of the Thug.

In these invasions, attended by the entire subversion of all security in this Territory, with the plunder of the ballot-box, and the pollution of the electoral franchise, I show simply the process in unprecedented Crime. If that be the best government where an injury to a single citizen is resented as an injury to the whole State, then must our Government forfeit all claim to any such eminence, while it leaves its citizens thus exposed.

In the outrage upon the ballot-box, even without the illicit fruits which I shall soon exhibit, there is a peculiar crime of the deepest dye, though subordinate to the final Crime, which should be promptly avenged. In countries where royalty is upheld, it is a special offence to rob the crown jewels, which are the emblems of that sovereignty before which the loyal subject bows, and it is treason to be found in adultery with the Queen, for in this way may a false heir be imposed upon the State; but in our Republic the ballot-box is the single priceless jewel of that sovereignty which we respect, and the electoral franchise, out of which are born the rulers of a free people, is the Queen that we are to guard against pollution. In this plain presentment, whether as regards security, or as regards elections, there is enough, surely, without proceeding further, to justify the intervention of Congress, most promptly and completely, to throw over this oppressed people the impenetrable shield of the constitution and laws. But the half is not yet told.

As every point in a wide-spread horizon radiates from a common centre, so every thing said or done in this vast circle of Crime radiates from the *One Idea*, that Kansas, at all hazards, must be made a slave State. In all the manifold wickednesses that have occurred, and in every successive

invasion, this *One Idea* has been ever present, as the Satanic tempter—the motive power—the *causing cause.*

To accomplish this result, three things were attempted: *first*, by outrages of all kinds to drive the friends of Freedom already there out of the Territory; *secondly*, to deter others from coming; and, *thirdly*, to obtain the complete control of the Government. The process of driving out, and also of deterring, has failed. On the contrary, the friends of Freedom there became more fixed in their resolves to stay and fight the battle, which they had never sought, but from which they disdained to retreat; while the friends of Freedom elsewhere were more aroused to the duty of timely succors, by men and munitions of just self-defence.

But, while defeated in the first two processes proposed, the conspirators succeeded in the last. By the violence already portrayed at the election of the 30th March, when the polls were occupied by the armed hordes from Missouri, they imposed a Legislature upon the Territory, and thus, under the iron mask of law, established a usurpation not less complete than any in history. That this was done, I proceed to prove. Here is the evidence:

1. Only in this way can this extraordinary expedition be adequately explained. In the words

of Molière, once employed by John Quincy Adams, in the other House, *Que diable allaient-ils faire dans cette galere?* What did they go into the Territory for? If their purposes were peaceful, as has been suggested, why cannons, arms, flags, numbers, and all this violence? As simple citizens, proceeding to the honest exercise of the electoral franchise, they might have gone with nothing more than a pilgrim's staff. Philosophy always seeks a *sufficient cause*, and only in the *One Idea*, already presented, can a cause be found in any degree commensurate with this Crime; and this becomes so only when we consider the mad fanaticism of Slavery.

2. Public notoriety steps forward to confirm the suggestion of reason. In every place where truth can freely travel, it has been asserted and understood that the Legislature was imposed upon Kansas by foreigners from Missouri; and this universal voice is now received as undeniable verity.

3. It is also attested by the harangues of the conspirators. Here is what Stringfellow said *before* the invasion:

"To those who have qualms of conscience as to violating laws, State or National, the time has come when such impositions must be disregarded, as your rights and property are in danger; *and I advise you, one and all, to enter every election district in Kansas, in defiance of Reeder and his vile myrmidons, and vote at the point of the bowie-knife and*

revolver. Neither give nor take quarter, as our case demands it. It is enough that the slaveholding interest wills it, from which there is no appeal. What right has Governor Reeder to rule Missourians in Kansas? His proclamation and prescribed oath must be repudiated. It is your interest to do so. Mind that Slavery is established where it is not prohibited."

Here is what Atchison said *after* the invasion:

"Well, what next? Why, an election for members of the Legislature to organize the Territory must be held. What did I advise you to do then? Why, meet them on their own ground, and beat them at their own game, again; and, cold and inclement as the weather was, I went over with a company of men. My object in going was not to vote. I had no right to vote, unless I had disfranchised myself in Missouri. I was not within two miles of a voting place. My object in going was not to vote, but to settle a difficulty between two of our candidates; and the Abolitionists of the North said, *and published it abroad, that Atchison was there with bowie-knife and revolver; and, by God! 'twas true. I never did go into that Territory—I never intend to go into that Territory—without being prepared for all such kind of cattle.* Well, we beat them, and Governor Reeder gave certificates to a majority of all the members of both Houses; and then, after they were organized, as everybody will admit, they were the only competent persons to say who were, and who were not, members of the same."

4. It is confirmed by the contemporaneous admission of the *Squatter Sovereign*, a paper published at Atchison, and at once the organ of the President and of these borderers, which, under date of 1st of April, thus recounts the victory:

"*Independence* [*Missouri*], *March* 31, 1855.

"Several hundred emigrants from Kansas have just entered our city. They were preceded by the Westport and Independence Brass Bands. They came in at the west side of the public square, and proceeded entirely around it, the bands cheering us with fine music, and the emigrants with good news. Immediately following the bands were about two hundred horsemen in regular order; following these were one hundred and fifty wagons, carriages, &c. They gave repeated cheers for Kansas and Missouri. They report that not an Anti-Slavery man will be in the Legislature of Kansas. *We have made a clean sweep.*"

5. It is also confirmed by the contemporaneous testimony of another paper, always faithful to slavery, the New York *Herald*, in the letter of a correspondent from Brunswick, in Missouri, under date of 20th April, 1855:

"From five to seven thousand men started from Missouri to attend the election, some to remove, but the most to return to their families, with an intention, if they liked the Territory, to make it their permanent abode at the earliest moment practicable. But they intended to vote. The Missourians were, many of them, Douglas men. There were one hundred and fifty voters from this county, one hundred and seventy-five from Howard, one hundred from Cooper. Indeed, every county furnished its quota; and when they set out, it looked like an army." * * * "They were armed." * * * "And, as there were no houses in the Territory, they carried tents. Their mission was a peaceable one,—to vote, and to drive down stakes for their future homes. After the election, some one thousand five hundred of the voters sent a committee to Mr. Reeder, to ascertain if it was his purpose to ratify the election. He answered that it was, and said the majority at an election must carry

the day. But it is not to be denied that the one thousand five hundred, apprehending that the Governor might attempt to play the tyrant,—since his conduct had already been insidious and unjust,—wore on their hats bunches of hemp. They were resolved, if a tyrant attempted to trample upon the rights of the sovereign people, to hang him."

6. It is again confirmed by the testimony of a lady who for five years has lived in Western Missouri, and thus writes in a letter published in the *New Haven Register:*

"*Miami, Saline Co., Nov.* 26, 1855.

"You ask me to tell you something about the Kansas and Missouri troubles. Of course you know in what they have originated. *There is no denying that the Missourians have determined to control the elections, if possible;* and I don't know that their measures would be justifiable, except upon the principle of self-preservation; and that, you know, is the first law of nature."

7. And it is confirmed still further by the circular of the Emigration Society of Lafayette, in Missouri, dated as late as 25th March, 1856, in which the efforts of Missourians are openly confessed:

"The western counties of Missouri have, for the last two years, been heavily taxed, both in money and time, in fighting the battles of the South. *Lafayette County alone has expended more than one hundred thousand dollars in money, and as much or more in time. Up to this time, the border counties of Missouri have upheld and maintained the rights and interests of the South in this struggle, unassisted, and not unsuccessfully.* But the Abolitionists, staking their all

upon the Kansas issue, and hesitating at no means, fair or foul, are moving heaven and earth to render that beautiful Territory a *Free State*."

8. Here, also, is a complete admission of the usurpation, by the *Intelligencer*, a leading paper of St. Louis, Missouri, made in the ensuing summer:

"Atchison and Stringfellow, with their Missouri followers, overwhelmed the settlers in Kansas, browbeat and bullied them, and took the Government from their hands. Missouri votes elected the present body of men who insult public intelligence and popular rights by styling themselves 'the Legislature of Kansas.' This body of men are helping themselves to fat speculations, by locating the 'seat of Government,' and getting town lots for their votes. They are passing laws disfranchising all the citizens of Kansas who do not believe Negro Slavery to be a Christian institution and a national blessing. They are proposing to punish with imprisonment the utterance of views inconsistent with their own; and they are trying to perpetuate their preposterous and infernal tyranny by appointing, *for a term of years*, creatures of their own, as commissioners in every county, to lay and collect taxes, and see that the laws they are passing are faithfully executed. Has this age any thing to compare with these acts in audacity?"

9. In harmony with all these is the authoritative declaration of Governor Reeder, in a speech addressed to his neighbors, at Easton, Pennsylvania, at the end of April, 1855, and immediately afterwards published in the Washington *Union*. Here it is:

"It was, indeed, too true that Kansas had been invaded, conquered, subjugated by an armed force from beyond her borders, led on by a fanatical spirit, trampling under foot the principles of the Kansas bill and the right of suffrage."

10. And in similar harmony is the complaint of the people of Kansas, in a public meeting at Big Springs, on the 5th September, 1855, embodied in these words:

"*Resolved*, That the body of men who, for the last two months, have been passing laws for the people of our Territory, moved, counselled, and dictated to, by the demagogues of Missouri, are to us a foreign body, representing only the lawless invaders who elected them, and not the people of the Territory; that we repudiate their action as the monstrous consummation of an act of violence, usurpation, and fraud, unparalleled in the history of the Union, and worthy only of men unfitted for the duties and regardless of the responsibilities of Republicans."

11. And, finally, by the official minutes which have been laid on our table by the President, the invasion, which ended in the usurpation, is clearly established; but the effect of this testimony has been so amply exposed by the senator from Vermont [Mr. COLLAMER], in his able and indefatigable argument, that I content myself with simply referring to it.

On this cumulative, irresistible evidence, in concurrence with the antecedent history, I rest. And yet, senators here have argued that this cannot be so; precisely as the conspiracy of Catiline was

doubted in the Roman Senate. *Nonnulli sunt in hoc ordine, qui aut ea, quæ imminent, non videant ; aut ea, quæ vident, dissimulent ; qui spem Catilinæ mollibus sententiis aluerunt, conjurationemque nascentem non credendo corroboraverunt.* As I listened to the senator from Illinois, while he painfully strove to show that there was no usurpation, I was reminded of the effort by a distinguished logician, in a much-admired argument, to prove that Napoleon Bonaparte never existed. And permit me to say that the fact of his existence is not placed more completely above doubt than the fact of this usurpation. This I assert on the proofs already presented. But confirmation comes almost while I speak. The columns of the public press are now daily filled with testimony, solemnly taken before the committee of Congress in Kansas, which shows, in awful light, the violence ending in the Usurpation. Of this I may speak on some other occasion. Meanwhile I proceed with the development of the Crime.

The usurping Legislature assembled at the appointed place in the interior, and then, at once, in opposition to the veto of the Governor, by a majority of two-thirds, removed to the Shawnee Mission, a place in most convenient proximity to the Missouri borderers, by whom it had been constituted, and whose tyrannical agent it was. The

statutes of Missouri, in all their text, with their divisions and subdivisions, were adopted bodily, and with such little local adaptation that the word "State" in the original is not even changed to "Territory," but is left to be corrected by an explanatory act. But all this general legislation was entirely subordinate to the special act, entitled "An Act to punish Offences against Slave Property," in which the One Idea, that provoked this whole conspiracy, is, at last, embodied in legislative form, and human slavery openly recognized on free soil, under the sanction of pretended law. This act of thirteen sections is in itself a *Dance of Death*. But its complex completeness of wickedness, without a parallel, may be partially conceived, when it is understood that in three sections only of it is the penalty of death denounced no less than forty-eight different times, by as many changes of language, against the heinous offence, described in forty-eight different ways, of interfering with what does not exist in that Territory, and under the constitution cannot exist there,—I mean property in human flesh. Thus is Liberty sacrificed to Slavery, and Death summoned to sit at the gates as guardian of the Wrong.

But the work of Usurpation was not perfected even yet. It had aleady cost too much to be left at any hazard.

——— "To be thus was nothing;
But to be safely thus!"

Such was the object. And this could not be, except by the entire prostration of all the safeguards of human rights. The liberty of speech, which is the very breath of a republic; the press, which is the terror of wrong-doers; the bar, through which the oppressed beards the arrogance of law; the jury, by which right is vindicated; all these must be struck down, while officers are provided, in all places, ready to be the tools of this tyranny; and then, to obtain final assurance that their crime was secure, the whole Usurpation, stretching over the Territory, must be fastened and riveted by legislative bolts, spikes, and screws, *so as to defy all effort at change through the ordinary forms of law.* To this work, in its various parts, were bent the subtlest energies; and never, from Tubal Cain to this hour, was any fabric forged with more desperate skill and completeness.

Mark, sir, three different legislative enactments, which constitute part of this work. *First*, according to one act, all who deny, by spoken or written word, "the right of persons to hold slaves in this territory," are denounced as felons, to be punished by imprisonment at hard labor, for a term not less than two years; it may be for life. And, to show the extravagance of this injustice, it has been well

put by the senator from Vermont [Mr. COLLAMER], that should the senator from Michigan [Mr. CASS], who believes that Slavery cannot exist in a Territory, unless introduced by express legislative acts, venture there with his moderate opinions, his doom must be that of a felon! To this extent are the great liberties of speech and of the press subverted. *Secondly*, by another act, entitled "An Act concerning Attorneys-at-Law," no person can practise as an attorney, unless he *shall obtain a license* from the Territorial courts, which, of course, a tyrannical discretion will be free to deny; and, after obtaining such license, he is constrained to take an oath, not only "to support" the constitution of the United States, but also "to support and sustain"—mark here the reduplication!—the Territorial act, and the Fugitive Slave Bill; thus erecting a test for the function of the bar, calculated to exclude citizens who honestly regard that latter legislative enormity as unfit to be obeyed. And, *thirdly*, by another act, entitled "An Act concerning Jurors," all persons "conscientiously opposed to holding slaves," or "not admitting the right to hold slaves in the Territory," are excluded from the jury on every question, civil or criminal, arising out of asserted slave property; while, in all cases, the summoning of the jury is left without one word of restraint

to "the marshal, sheriff, or other officer," who are thus free to pack it according to their tyrannical discretion.

For the ready enforcement of all statutes against Human Freedom, the President had already furnished a powerful quota of officers, in the Governor, Chief Justice, Judges, Secretary, Attorney, and Marshal. The Legislature completed this part of the work, by constituting, in each county, a *Board of Commissioners*, composed of two persons, associated with the Probate Judge, whose duty it is "to appoint a county treasurer, coroner, justices of the peace, constables, and *all* other officers provided for by law," and then proceeded to the choice of this very Board; thus delegating and diffusing their usurped power, and tyrannically imposing upon the Territory a crowd of officers in whose appointment the people have had no voice, directly or indirectly.

And still the final inexorable work remained. A Legislature, renovated in both branches, could not assemble until 1858, so that, during this long intermediate period, this whole system must continue in the likeness of law, unless overturned by the Federal Government, or, in default of such interposition, by a generous uprising of an oppressed people. But it was necessary to guard against the possibility of change, even tardily, at a

future election; and this was done by two different acts; under the *first* of which, all who will not take the oath to support the Fugitive Slave Bill are excluded from the elective franchise; and under the *second* of which, all others are entitled to vote who shall tender a tax of one dollar to the Sheriff on the day of election; thus, by provision of Territorial law, disfranchising all opposed to Slavery, and at the same time opening the door to the votes of the invaders; by an unconstitutional shibboleth, excluding from the polls the mass of actual settlers, and by making the franchise depend upon a petty tax only, admitting to the polls the mass of borderers from Missouri. Thus, by tyrannical forethought, the Usurpation not only fortified all that it did, but assumed a *self-perpetuating* energy.

Thus was the Crime consummated. Slavery now stands erect, clanking its chains on the Territory of Kansas, surrounded by a code of death, and trampling upon all cherished liberties, whether of speech, the press, the bar, the trial by jury, or the electoral franchise. And, sir, all this has been done, not merely to introduce a wrong which in itself is a denial of all rights, and in dread of which a mother has lately taken the life of her offspring; not merely, as has been sometimes said, to protect Slavery in Missouri, since it is futile for

this State to complain of Freedom on the side of Kansas, when Freedom exists without complaint on the side of Iowa, and also on the side of Illinois; but it has been done for the sake of political power, in order to bring two new slaveholding senators upon this floor, and thus to fortify in the National Government the desperate chances of a waning Oligarchy. As the ship, voyaging on pleasant summer seas, is assailed by a pirate crew, and robbed for the sake of its doubloons and dollars—so is this beautiful Territory now assailed in its peace and prosperity, and robbed in order to wrest its political power to the side of Slavery. Even now the black flag of the land-pirates from Missouri waves at the mast-head; in their laws you hear the pirate yell, and see the flash of the pirate-knife; while, incredible to relate! the President, gathering the Slave Power at his back, testifies a pirate sympathy.

Sir, all this was done in the name of Popular Sovereignty. And this is the close of the tragedy. Popular Sovereignty, which, when truly understood, is a fountain of just power, has ended in Popular Slavery; not merely in the subjection of the unhappy African race, but of this proud Caucasian blood, which you boast. The profession with which you began, of *All by the People*, has been lost in the wretched reality of *Nothing for*

the People. Popular Sovereignty, in whose deceitful name plighted faith was broken, and an ancient Landmark of Freedom was overturned, now lifts itself before us, like Sin, in the terrible picture of Milton,

> "That seemed a woman to the waist, and fair,
> But ended foul in many a scaly fold
> Voluminous and vast, a serpent armed
> With mortal sting; about her middle round
> A cry of hell-hounds never ceasing barked
> With wide Cerberean mouths full loud, and rung
> A hideous peal; yet, when they list, would creep,
> If aught disturbed their noise, into her womb,
> And kennel there, yet there still barked and howled
> Within, unseen."

The image is complete at all points; and, with this exposure, I take my leave of the Crime against Kansas.

II. Emerging from all the blackness of this Crime, in which we seem to have been lost, as in a savage wood, and turning our backs upon it, as upon desolation and death, from which, while others have suffered, we have escaped, I come now to THE APOLOGIES which the Crime has found. Sir, well may you start at the suggestion that such a series of wrongs, so clearly proved by various testimony, so openly confessed by the wrong-doers, and so widely recognized throughout the country, should find Apologies. But the partisan spirit, now, as in other days, hesitates at nothing. The great crimes of history have never been without

Apologies. The massacre of St. Bartholomew, which you now instinctively condemn, was, at the time, applauded in high quarters, and even commemorated by a Papal medal, which may still be procured at Rome; as the Crime against Kansas, which is hardly less conspicuous in dreadful eminence, has been shielded on this floor by extenuating words, and even by a Presidential message, which, like the Papal medal, can never be forgotten in considering the madness and perversity of men.

Sir, the Crime cannot be denied. The President himself has admitted "illegal and reprehensible" conduct. To such conclusion he was compelled by irresistible evidence; but what he mildly describes I openly arraign. Senators may affect to put it aside by a sneer; or to reason it away by figures; or to explain it by a theory, such as desperate invention has produced on this floor, that the Assassins and Thugs of Missouri were in reality citizens of Kansas; but all these efforts, so far as made, are only tokens of the weakness of the cause, while to the original Crime they add another offence of false testimony against innocent and suffering men. But the Apologies for the Crime are worse than the efforts at denial. In cruelty and heartlessness they identify their authors with the great transgression.

They are four in number, and four-fold in character. The first is the Apology *tyrannical;* the second, the Apology *imbecile;* the third, the Apology *absurd;* and the fourth, the Apology *infamous.* This is all. Tyranny, imbecility, absurdity, and infamy, all unite to dance, like the weird sisters, about this Crime.

The Apology *tyrannical* is founded on the mistaken act of Governor Reeder, in authenticating the Usurping Legislature, by which it is asserted that, whatever may have been the actual force or fraud in its election, the people of Kansas are effectually concluded, and the whole proceeding is placed under the formal sanction of law. According to this assumption, complaint is now in vain, and it only remains that Congress should sit and hearken to it, without correcting the wrong, as the ancient tyrant listened and granted no redress to the human moans that issued from the heated brazen bull, which subtle cruelty had devised. This I call the Apology of technicality inspired by tyranny.

The facts on this head are few and plain. Governor Reeder, after allowing only five days for objections to the returns,—a space of time unreasonably brief in that extensive Territory,—declared a majority of the members of the Council

and of the House of Representatives "duly elected," withheld certificates from certain others, because of satisfactory proof that they were not duly elected, and appointed a day for new elections to supply these vacancies. Afterwards, by formal message, he recognized the Legislature as a legal body; and when he vetoed their act of adjournment to the neighborhood of Missouri, he did it simply on the ground of the illegality of such an adjournment under the organic law. Now, to every assumption founded on these facts, there are two satisfactory replies: *first*, that no certificate of the Governor can do more than authenticate a subsisting legal act, without of itself infusing legality where the essence of legality is not already; and, *secondly*, that violence or fraud, wherever disclosed, vitiates completely every proceeding. In denying these principles, you place the certificate above the thing certified, and give a perpetual lease to violence and fraud, merely because at an ephemeral moment they were unquestioned. This will not do.

Sir, I am no apologist for Governor Reeder. There is sad reason to believe that he went to Kansas originally as the tool of the President; but his simple nature, nurtured in the atmosphere of Pennsylvania, revolted at the service required, and he turned from his patron to duty. Griev-

ously did he err in yielding to the Legislature any act of authentication; but he has in some measure answered for this error by determined efforts since to expose the utter illegality of that body, which he now repudiates entirely. It was said of certain Roman Emperors, who did infinite mischief in their beginnings, and infinite good towards their ends, that they should never have been born, or never died; and I would apply the same to the official life of this Kansas Governor. At all events, I dismiss the Apology founded on his acts, as the utterance of tyranny by the voice of law, transcending the declaration of the pedantic judge, in the British Parliament, on the eve of our Revolution, that our fathers, notwithstanding their complaints, were in reality represented in Parliament, inasmuch as their lands, under the original charters, were held "in common socage, as of the manor of Greenwich in Kent," which, being duly represented, carried with it all the Colonies. Thus in other ages has tyranny assumed the voice of law.

Next comes the Apology *imbecile*, which is founded on the alleged want of power in the President to arrest this Crime. It is openly asserted that, under the existing laws of the United States, the Chief Magistrate had no authority to interfere in Kansas for this purpose. Such is the

broad statement, which, even if correct, furnishes no Apology for any proposed ratification of the Crime, but which is in reality untrue; and this I call the Apology of imbecility.

In other matters, no such ostentatious imbecility appears. Only lately, a vessel of war in the Pacific has chastised the cannibals of the Fejee Islands for alleged outrages on American citizens. But no person of ordinary intelligence will pretend that American citizens in the Pacific have received wrongs from these cannibals comparable in atrocity to those received by American citizens in Kansas. Ah, sir, the interests of Slavery are not touched by any chastisement of the Fejees!

Constantly we are informed of efforts at New York, through the agency of the Government, and sometimes only on the breath of suspicion, to arrest vessels about to sail on foreign voyages in violation of our neutrality laws or treaty stipulations. Now, no man familiar with the cases will presume to suggest that the urgency for these arrests was equal to the urgency for interposition against these successive invasions from Missouri. But the Slave Power is not disturbed by such arrests at New York!

At this moment, the President exults in the vigilance with which he has prevented the enlistment of a few soldiers, to be carried off to Halifax,

in violation of our territorial sovereignty, and England is bravely threatened, even to the extent of a rupture of diplomatic relations, for her endeavor, though unsuccessful, and at once abandoned. Surely, no man in his senses will urge that this act was any thing but trivial by the side of the Crime against Kansas. But the Slave Power is not concerned in this controversy!

Thus, where the Slave Power is indifferent, the President will see that the laws are faithfully executed; but, in other cases, where the interests of Slavery are at stake, he is controlled absolutely by this tyranny, ready at all times to do, or not to do, precisely as it dictates. Therefore it is that Kansas is left a prey to the Propagandists of Slavery, while the whole Treasury, the Army and Navy of the United States, are lavished to hunt a single slave through the streets of Boston. You have not forgotten the latter instance; but I choose to refresh it in your minds.

As long ago as 1851, the War Department and Navy Department concurred in placing the forces of the United States, near Boston, at the command of the Marshal, if needed, for the enforcement of an act of Congress, which had no support in the public conscience, as I believe it has no support in the constitution; and thus these forces were degraded to the loathsome work of slave-hunters.

More than three years afterwards, an occasion arose for their intervention. A fugitive from Virginia, who for some days had trod the streets of Boston as a freeman, was seized as a slave. The whole community was aroused, while Bunker Hill and Faneuil Hall quaked with responsive indignation. Then, sir, the President, anxious that no tittle of Slavery should suffer, was curiously eager in the enforcement of the statute. The dispatches between him and his agents in Boston attest his zeal. Here are some of them:

"*Boston, May* 27, 1854.

"To the President of the United States:

"In consequence of an attack upon the Court-house, last night, for the purpose of rescuing a fugitive slave, under arrest, and in which one of my own guards was killed, *I have availed myself of the resources of the United States, placed under my control by letter from the War and Navy Department, in* 1851, and now have two companies of Troops, from Fort Independence, stationed in the Court-house. Every thing is now quiet. The attack was repulsed by my own guard.

"Watson Freeman,
"*United States Marshal, Boston, Mass.*"

"*Washington, May* 27, 1854.

"To Watson Freeman,
United States Marshal, Boston, Mass.:

"Your conduct is approved. The law must be executed.

"Franklin Pierce."

"*Washington, May* 30, 1854.

"To Hon. B. F. Hallet, *Boston, Mass.:*

"What is the state of the case of Burns?

"Sidney Webster."
[*Private Secretary of the President.*]

"*Washington, May* 31, 1854.

"To B. F. Hallet,

United States Attorney, Boston, Mass.:

"Incur any expense deemed necessary by the Marshal and yourself, for City Military, or otherwise, to insure the execution of the law.

"Franklin Pierce."

But the President was not content with such forces as were then on hand in the neighborhood. Other posts also were put under requisition. Two companies of National troops, stationed at New York, were kept under arms, ready at any moment to proceed to Boston; and the Adjutant-General of the Army was directed to repair to the scene, there to superintend the execution of the statute. All this was done for the sake of Slavery; but during long months of menace suspended over the Free Soil of Kansas, breaking forth in successive invasions, the President has folded his hands in complete listlessness, or if he has moved at all, it has been only to encourage the robber propagandists.

And now the intelligence of the country is insulted by the Apology, that the President had no power to interfere. Why, sir, to make this confession is to confess our Government to be a practical failure—which I will never do, except, indeed, as it is administered now. No, sir; the imbecility of the Chief Magistrate shall not be charged upon

our American Institutions. Where there is a will there is a way; and in his case, had the will existed, there would have been a way, easy and triumphant, to guard against the Crime we now deplore. His powers were in every respect ample; and this I will prove by the statute-book. By the act of Congress of 28th February, 1795, it is enacted, "that whenever the laws of the United States shall be opposed, *or the execution thereof obstructed*, in any State, by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals," the President may call forth the militia. By the supplementary act of 3d March, 1807, in all cases where he is authorized to call forth the militia "for the purpose of causing the laws to be duly executed," the President is further empowered, in any State *or Territory*, "to employ for the same purposes such part of the land or naval force of the United States as shall be judged necessary." There is the letter of the law; and you will please to mark the power conferred. In no case where the *laws of the United States* are *opposed*, or their execution *obstructed*, is the President constrained to wait for the requisition of a Governor, or even the petition of a citizen. Just so soon as he learns the fact, no matter by what channel, he is invested by law with full power to

counteract it. True it is, that when the *laws of a State* are obstructed, he can interfere only on the application of the Legislature of such State, or of the Executive, when the Legislature cannot be convened; but when the Federal laws are obstructed, no such preliminary application is necessary. It is his high duty, under his oath of office, to see that they are executed, and, if need be, by the Federal forces.

And, sir, this is the precise exigency that has arisen in Kansas,—precisely this, nor more, nor less. The act of Congress, constituting the very *organic law* of the Territory, which, in peculiar phrase, as if to avoid ambiguity, declares, as "its true intent and meaning," that the people thereof "shall be left perfectly free to form and regulate their domestic institutions in their own way," has been from the beginning *opposed* and *obstructed* in its execution. If the President had power to employ the Federal forces in Boston, when he supposed the Fugitive Slave Bill was obstructed, and merely in anticipation of such obstruction, it is absurd to say that he had not power in Kansas, when, in the face of the whole country, the very *organic law* of the Territory was trampled under foot by successive invasions, and the freedom of the people there overthrown. To assert ignorance of this obstruction—premeditated, long-continued,

and stretching through months—attributes to him not merely imbecility, but idiocy. And thus do I dispose of this Apology.

Next comes the Apology *absurd*, which is, indeed, in the nature of a pretext. It is alleged that a small printed pamphlet, containing the "Constitution and Ritual of the Grand Encampment and Regiments of the Kansas Legion," was taken from the person of one George F. Warren, who attempted to avoid detection by chewing it. The oaths and grandiose titles of the pretended Legion have all been set forth, and this poor mummery of a secret society, which existed only on paper, has been gravely introduced on this floor, in order to extenuate the Crime against Kansas. It has been paraded in more than one speech, and even stuffed into the report of the committee.

A part of the obligations assumed by the members of this Legion shows why it has been thus pursued, and also attests its innocence. It is as follows:

"I will never knowingly propose a person for membership in this order *who is not in favor of making Kansas a free State*, and whom I feel satisfied will exert his entire influence to bring about this result. I will support, maintain, and abide by, any honorable movement made by the organization to secure this great end, *which will not conflict with the laws of the country and the Constitution of the United States.*"

Kansas is to be made a free State, by an honorable movement, which will not conflict with the laws and the constitution. That is the object of the organization, declared in the very words of the initiatory obligation. Where is the wrong in this? What is there here which can cast reproach, or even suspicion upon the people of Kansas? Grant that the Legion was constituted, can you extract from it any Apology for the original Crime, or for its present ratification? Secret societies, with their extravagant oaths, are justly offensive; but who can find, in this mistaken machinery, any excuse for the denial of all rights to the people of Kansas? All this I say on the supposition that the society was a reality—which it was not. Existing in the fantastic brains of a few persons only, it never had any practical life. It was never organized. The whole tale, with the mode of obtaining the copy of the constitution, is at once a cock-and-bull story and a mare's nest; trivial as the former, absurd as the latter; and to be dismissed, with the Apology founded upon it, to the derision which triviality and absurdity justly receive.

It only remains, under this head, that I should speak of the Apology *infamous;* founded on false testimony against the Emigrant Aid Company, and

assumptions of duty more false than the testimony. Defying Truth and mocking Decency, this Apology excels all others in futility and audacity, while, from its utter hollowness, it proves the utter impotence of the conspirators to defend their Crime. Falsehood, always *infamous*, in this case arouses peculiar scorn. An association of sincere benevolence, faithful to the constitution and laws, whose only fortifications are hotels, school-houses, and churches; whose only weapons are saw-mills, tools, and books; whose mission is peace and good-will, has been falsely assailed on this floor, and an errand of blameless virtue has been made the pretext for an unpardonable Crime. Nay, more—the innocent are sacrificed, and the guilty set at liberty. They who seek to do the mission of the Saviour are scourged and crucified, while the murderer, Barabbas, with the sympathy of the chief priests, goes at large.

Were I to take counsel of my own feelings, I should dismiss this whole Apology to the ineffable contempt which it deserves; but it has been made to play such a part in this conspiracy, that I feel it a duty to expose it completely.

Sir, from the earliest times, men have recognized the advantages of organization, as an effective agency in promoting works of peace or war. Especially at this moment, there is no interest,

public or private, high or low, of charity or trade, of luxury or convenience, which does not seek its aid. Men organize to rear churches and to sell thread; to build schools and to sail ships; to construct roads and to manufacture toys; to spin cotton and to print books; to weave cloths and to quicken harvests; to provide food and to distribute light; to influence Public Opinion and to secure votes; to guard infancy in its weakness, old age in its decrepitude, and womanhood in its wretchedness; and now, in all large towns, when death has come, they are buried by organized societies, and, emigrants to another world, they lie down in pleasant places, adorned by organized skill. To complain that this prevailing principle has been applied to living emigration, is to complain of Providence and the irresistible tendencies implanted in man.

But this application of the principle is no recent invention, brought forth for an existing emergency. It has the best stamp of antiquity. It showed itself in the brightest days of Greece, where colonists moved in organized bands. It became a part of the mature policy of Rome, where bodies of men were constituted expressly for this purpose, *triumviri ad colonos deducendos*.—(Livy, xxxvii. § 46.) Naturally it has been accepted in modern times by every civilized State. With the sanction of

Spain, an association of Genoese merchants first introduced slaves to this continent. With the sanction of France, the Society of Jesuits stretched their labors over Canada and the Great Lakes to the Mississippi. It was under the auspices of Emigrant Aid Companies that our country was originally settled, by the Pilgrim Fathers of Plymouth, by the adventurers of Virginia, and by the philanthropic Oglethorpe, whose "benevolence of soul," commemorated by Pope, sought to plant a Free State in Georgia. At this day, such associations, of a humbler character, are found in Europe, with offices in the great capitals, through whose activity emigrants are directed here.

For a long time, emigration to the West, from the Northern and Middle States, but particularly from New England, has been of marked significance. In quest of better homes, annually it has pressed to the unsettled lands, in numbers to be counted by tens of thousands; but this has been done heretofore with little knowledge, and without guide or counsel. Finally, when, by the establishment of a Government in Kansas, the tempting fields of that central region were opened to the competition of peaceful colonization, and especially when it was declared that the question of Freedom or Slavery there was to be determined by the votes of actual settlers, then at once was organization en-

listed as an effective agency in quickening and conducting the emigration impelled thither, and, more than all, in providing homes for it on arrival there.

The Company was first constituted under an act of the Legislature of Massachusetts, 4th of May, 1854, some weeks prior to the passage of the Nebraska Bill. The original act of incorporation was subsequently abandoned, and a new charter received in February, 1855, in which the objects of the Society are thus declared:

"For the purposes of directing emigration Westward, and *aiding in providing accommodations for the emigrants after arriving at their places of destination.*"

At any other moment, an association for these purposes would have taken its place, by general consent, among the philanthropic experiments of the age; but crime is always suspicious, and shakes, like a sick man, merely at the pointing of a finger. The conspirators against freedom in Kansas now shook with tremor, real or affected. Their wicked plot was about to fail. To help themselves, they denounced the Emigrant Aid Company; and their denunciations, after finding an echo in the President, have been repeated, with much particularity, on this floor, in the formal report of your committee.

The falsehood of the whole accusation will appear in illustrative specimens.

A charter is set out, section by section, which, though originally granted, was subsequently abandoned, and is not in reality the charter of the Company, but is materially unlike it.

The Company is represented as "a powerful corporation, with a capital of five millions;" when, by its actual charter, it is not allowed to hold property above one million, and in point of fact its capital has not exceeded one hundred thousand dollars.

Then, again, it is suggested, if not alleged, that this enormous capital, which I have already said does not exist, is invested in "cannon and rifles, in powder and lead, and implements of war,"—all of which, whether alleged or suggested, is absolutely false. The officers of the Company authorize me to give to this whole pretension a point-blank denial.

All these allegations are of small importance, and I mention them only because they show the character of the report, and also something of the quicksand on which the senator from Illinois has chosen to plant himself. But these are all capped by the unblushing assertion that the proceedings of the Company were "in perversion of the plain provisions of an act of Congress;" and also an-

other unblushing assertion, as "certain and undeniable," that the Company was formed to promote certain objects, "regardless of the rights and wishes of the people, as guaranteed by the constitution of the United States, and secured by their organic law;" when it is certain and undeniable that the Company has done nothing in perversion of any act of Congress, while, to the extent of its power, it has sought to protect the rights and wishes of the actual people in the Territory.

Sir, this Company has violated in no respect the constitution or laws of the land; not in the severest letter or the slightest spirit. But every other imputation is equally baseless. It is not true, as the senator from Illinois has alleged, in order in some way to compromise the Company, that it was informed before the public of the date fixed for the election of the Legislature. This statement is pronounced by the Secretary, in a letter now before me, "an unqualified falsehood, not having even the shadow of a shade of truth for its basis." It is not true that men have been hired by the Company to go to Kansas; for every emigrant, who has gone under its direction, has himself provided the means for his journey. Of course, sir, it is not true, as has been complained by the senator from South Carolina, with that proclivity to error which marks all his utterances, that men

have been sent by the Company "with one uniform gun, Sharpe's rifle;" for it has supplied no arms of any kind to anybody. It is not true that the Company has encouraged any fanatical aggression upon the people of Missouri; for it has counselled order, peace, forbearance. It is not true that the Company has chosen its emigrants on account of their political opinions; for it has asked no questions with regard to the opinions of any whom it aids, and at this moment stands ready to forward those from the South as well as the North, while, in the Territory, all, from whatever quarter, are admitted to an equal enjoyment of its tempting advantages. It is not true that the Company has sent persons merely to control elections, and not to remain in the Territory; for its whole action, and all its anticipation of pecuniary profits, are founded on the hope to stock the country with permanent settlers, by whose labor the capital of the Company shall be made to yield its increase, and by whose fixed interest in the soil the welfare of all shall be promoted.

Sir, it has not the honor of being an Abolition society, or of numbering among its officers Abolitionists. Its President is a retired citizen, of ample means and charitable life, who has taken no part in the conflicts on Slavery, and has never allowed his sympathies to be felt by Abolitionists.

One of its Vice-Presidents is a gentleman from Virginia, with family and friends there, who has always opposed the Abolitionists. Its generous Treasurer, who is now justly absorbed by the objects of the Company, has always been understood as ranging with his extensive connections, by blood and marriage, on the side of that quietism which submits to all the tyranny of the Slave Power. Its Directors are more conspicuous for wealth and science than for any activity against Slavery. Among these is an eminent lawyer of Massachusetts, Mr. Chapman,—personally known, doubtless, to some who hear me,—who has distinguished himself by an austere conservatism, too natural to the atmosphere of courts, which does not flinch even from the support of the Fugitive Slave Bill. In a recent address at a public meeting in Springfield, this gentleman thus speaks for himself and his associates:

"I have been a Director of the Society from the first, and have kept myself well informed in regard to its proceedings. I am not aware that any one in this community ever suspected me of being an Abolitionist; but I have been accused of being Pro-Slavery; and I believe many good people think I am quite too conservative on that subject. I take this occasion to say that all the plans and proceedings of the Society have met my approbation; and I assert that it has never done a single act with which any political party, or the people of any section of the country, can justly find fault. The name of its President, Mr. Brown, of Provi-

dence, and of its Treasurer, Mr. Lawrence, of Boston, are a sufficient guaranty, in the estimation of intelligent men, against its being engaged in any fanatical enterprise. Its stockholders are composed of men of all political parties, except Abolitionists. I am not aware that it has received the patronage of that class of our fellow-citizens, and I am informed that some of them disapprove of its proceedings."

The acts of the Company have been such as might be expected from auspices thus severely careful at all points. The secret through which, with small means, it has been able to accomplish so much, is, that, *as an inducement to emigration, it has gone forward and planted capital in advance of population.* According to the old immethodical system, this rule is reversed, and population has been left to grope blindly, without the advantage of fixed centres, with mills, schools, and churches,—all calculated to soften the hardships of pioneer life,—such as have been established beforehand in Kansas. Here, sir, is the secret of the Emigrant Aid Company. By this single principle, which is now practically applied for the first time in history, and which has the simplicity of genius, a business association at a distance, without a large capital, has become a beneficent instrument of civilization, exercising the functions of various societies, and in itself being a Missionary Society, a Bible Society, a Tract Society, an Education Society, and a Society for the Diffusion of

the Mechanic Arts. I would not claim too much for this Company; but I doubt if, at this moment, there is any society which is so completely philanthropic; and since its leading idea, like the light of a candle, from which other candles are lighted without number, may be applied indefinitely, it promises to be an important aid to Human Progress. The lesson it teaches cannot be forgotten; and hereafter, wherever unsettled lands exist, intelligent capital will lead the way, anticipating the wants of the pioneer,—nay, doing the very work of the original pioneer,—while, amidst well-arranged harmonies, a new community will arise, to become, by its example, a more eloquent preacher than any solitary missionary. In subordination to this essential idea is its humbler machinery for the aid of emigrants on their way, by combining parties, so that friends and neighbors might journey together; by purchasing tickets at wholesale, and furnishing them to individuals at the actual cost; by providing for each party a conductor familiar with the road, and, through these simple means, promoting the economy, safety, and comfort of the expedition. The number of emigrants it has directly aided, even thus slightly, in their journey, has been infinitely exaggerated. From the beginning of its operations, down to the close of the last autumn, all its detachments from

Massachusetts contained only thirteen hundred and twelve persons.

Such is the simple tale of the Emigrant Aid Company. Sir, not even suspicion can justly touch it. But it must be made a scapegoat. This is the decree which has gone forth. I was hardly surprised at this outrage, when it proceeded from the President, for, like Macbeth, he is stepped so far in, that returning were as tedious as go on; but I did not expect it from the senator from Missouri [Mr. GEYER], whom I had learned to respect for the general moderation of his views, and the name he has won in an honorable profession. Listening to him, I was saddened by the spectacle of the extent to which Slavery will sway a candid mind to do injustice. Had any other interest been in question, that senator would have scorned to join in impeachment of such an association. His instincts as a lawyer, as a man of honor, and as a senator, would have forbidden; but the Slave Power, in enforcing its behests, allows no hesitation, and the senator surrendered.

In this vindication, I content myself with a statement of facts, rather than an argument. It might be urged that Missouri had organized a propagandist emigration long before any from Massachusetts; and you might be reminded of the wolf in the fable, which complained of the lamb

for disturbing the waters, when in fact the alleged offender was lower down on the stream. It might be urged, also, that South Carolina has lately entered upon a similar system, while one of her chieftains, in rallying recruits, has unconsciously attested to the cause in which he was engaged, by exclaiming, in the words of Satan, addressed to his wicked force, "Awake! arise! or be forever fallen!"* But the occasion needs no such defences. I put them aside. Not on the example of Missouri, or the example of South Carolina, but on inherent rights, which no man, whether senator or President, can justly assail, do I plant this impregnable justification. It will not do, in specious phrases, to allege the right of every State to be free in its domestic policy from foreign interference, and then to assume such wrongful interference by this Company. By the law and constitution we stand or fall; and that law and constitution we have in no respect offended.

To cloak the overthrow of all law in Kansas, an assumption is now set up, which utterly denies one of the plainest rights of the people everywhere. Sir, I beg senators to understand that this is a Government of laws; and that, under

* Mr. EVANS, of South Carolina, here interrupted Mr. SUMNER to say that he did not know of any such address. Mr. SUMNER replied that it was taken from Southern papers.

these laws, the people have an incontestable right to settle any portion of our broad territory, and, if they choose, to propagate any opinions there not openly forbidden by the laws. If this were not so, pray, sir, by what title is the senator from Illinois, who is an emigrant from Vermont, propagating his disastrous opinions in another State? Surely he has no monopoly of this right. Others may do what he is doing; nor can the right be in any way restrained. It is as broad as the people; and it matters not whether they go in numbers small or great, with assistance or without assistance, under the auspices of societies or not under such auspices. If this were not so, then, by what title are so many foreigners annually naturalized, under Democratic auspices, in order to secure their votes for misnamed Democratic principles? And if capital as well as combination cannot be employed, by what title do venerable associations exist, of ampler means and longer duration than any Emigrant Aid Company, around which cluster the regard and confidence of the country?—the Tract Society, a powerful corporation, which scatters its publications freely in every corner of the land; the Bible Society, an incorporated body, with large resources, which seeks to carry the Book of Life alike into Territories and States; the Missionary Society, also an incorporated body,

with large resources, which sends its agents everywhere, at home and in foreign lands.—By what title do all these exist? Nay, sir, by what title does an Insurance Company in New York send its agent to open an office in New Orleans, and by what title does Massachusetts capital contribute to the Hannibal and St. Joseph Railroad in Missouri, and also to the copper mines of Michigan? The senator inveighs against the Native American party; but his own principle is narrower than any attributed to them. They object to the influence of emigrants from abroad; he objects to the influence of American citizens at home, when exerted in States or Territories where they were not born! The whole assumption is too audacious for respectful argument. But, since a great right has been denied, the children of the Free States, over whose cradles has shone the North Star, owe it to themselves, to their ancestors, and to Freedom itself, that this right should now be asserted to the fullest extent. By the blessing of God, and under the continued protection of the laws, they will go to Kansas, there to plant their homes, in the hope of elevating this Territory soon into the sisterhood of Free States; and to such end they will not hesitate, in the employment of all legitimate means, whether by companies of men or contributions of money, to swell a virtuous emigration, and they

will justly scout any attempt to question this unquestionable right. Sir, if they failed to do this, they would be fit only for slaves themselves.

God be praised! Massachusetts, honored Commonwealth that gives me the privilege to plead for Kansas on this floor, knows her rights, and will maintain them firmly to the end. This is not the first time in history that her public acts have been arraigned, and that her public men have been exposed to contumely. Thus was it when, in the olden time, she began the great battle whose fruits you all enjoy. But never yet has she occupied a position so lofty as at this hour. By the intelligence of her population—by the resources of her industry—by her commerce, cleaving every wave—by her manufactures, various as human skill—by her institutions of education, various as human knowledge—by her institutions of benevolence, various as human suffering—by the pages of her scholars and historians—by the voices of her poets and orators, she is now exerting an influence more subtle and commanding than ever before—shooting her far-darting rays wherever ignorance, wretchedness, or wrong prevail, and flashing light even upon those who travel far to persecute her. Such is Massachusetts; and I am proud to believe that you may as well attempt, with puny arm, to topple down the earth-rooted, heaven-kissing gra-

nite which crowns the historic sod of Bunker Hill, as to change her fixed resolves for Freedom everywhere, and especially now for Freedom in Kansas. I exult, too, that in this battle, which surpasses far, in moral grandeur, the whole war of the Revolution, she is able to preserve her just eminence. To the first she contributed a larger number of troops than any other State in the Union, and larger than all the Slave States together; and now to the second, which is not of contending armies, but of contending opinions, on whose issue hangs trembling the advancing civilization of the country, she contributes, through the manifold and endless intellectual activity of her children, more of that divine spark by which opinions are quickened into life, than is contributed by any other State, or by all the Slave States together; while her annual productive industry excels in value three times the whole vaunted cotton crop of the whole South.

Sir, to men on earth it belongs only to deserve success—not to secure it; and I know not how soon the efforts of Massachusetts will wear the crown of triumph. But it cannot be that she acts wrong for herself or children, when in this cause she thus encounters reproach. No; by the generous souls who were exposed at Lexington; by those who stood arrayed at Bunker Hill; by the many from her bosom who, on all the fields of the

first great struggle, lent their vigorous arms to the cause of all; by the children she has borne, whose names alone are national trophies, is Massachusetts now vowed irrevocably to this work. What belongs to the faithful servant she will do in all things, and Providence shall determine the result.

And here ends what I have to say of the four Apologies for the Crime against Kansas.

III. From this ample survey, where one obstruction after another has been removed, I now pass, in the third place, to the consideration of the *various remedies proposed*, ending with the True Remedy.

The Remedy should be coextensive with the original Wrong; and since, by the passage of the Nebraska Bill, not only Kansas, but also Nebraska, Minnesota, Washington, and even Oregon, have been opened to Slavery, the original Prohibition should be restored to its complete activity throughout these various Territories. By such a happy restoration, made in good faith, the whole country would be replaced in the condition which it enjoyed before the introduction of that dishonest measure. Here is the Alpha and the Omega of our aim in this immediate controversy. But no such extensive measure is now in question. The Crime against Kansas has been special, and all

else is absorbed in the special remedies for it. Of these I shall now speak.

As the Apologies were four-fold, so are the Remedies proposed four-fold; and they range themselves in natural order, under designations which so truly disclose their character as even to supersede argument. First, we have the Remedy of Tyranny; next, the Remedy of Folly; next, the Remedy of Injustice and Civil War; and fourthly, the Remedy of Justice and Peace. There are the four caskets; and you are to determine which shall be opened by senatorial votes.

There is the *Remedy of Tyranny*, which, like its complement, the Apology of Tyranny, though espoused on this floor especially by the senator from Illinois, proceeds from the President, and is embodied in a special message. It proposes to enforce obedience to the existing laws of Kansas, "whether Federal or *local*," when, in fact, Kansas has no "local" laws except those imposed by the Usurpation from Missouri; and it calls for additional appropriations to complete this work of tyranny.

I shall not follow the President in his elaborate endeavor to prejudge the contested election now pending in the House of Representatives; for this

whole matter belongs to the privileges of that body, and neither the President nor the Senate has a right to intermeddle therewith. I do not touch it. But now, while dismissing it, I should not pardon myself if I failed to add, that any person who founds his claim to a seat in Congress on the pretended votes of hirelings from another State, with no home on the soil of Kansas, plays the part of Anacharsis Clootz, who, at the bar of the French Convention, undertook to represent nations that knew him not, or, if they knew him, scorned him; with this difference, that in our American case the excessive farce of the transaction cannot cover its tragedy. But all this I put aside, to deal only with what is legitimately before the Senate.

I expose simply the Tyranny which upholds the existing Usurpation, and asks for additional appropriations. Let it be judged by an example, from which in this country there can be no appeal. Here is the speech of George III., made from the Throne to Parliament, in response to the complaints of the Province of Massachusetts Bay, which, though smarting under laws passed by usurped power, had yet avoided all armed opposition, while Lexington and Bunker Hill still slumbered in rural solitude, unconscious of the historic kindred which they were soon to claim. Instead of Massachusetts Bay, in the Royal speech, substitute

Kansas, and the message of the President will be found fresh on the lips of the British king. Listen now to the words, which, in opening Parliament, 30th November, 1774, his Majesty, according to the official report, was pleased to speak:

"My Lords and Gentlemen:

"It gives me much concern that I am obliged, at the opening of this Parliament, to inform you that a most daring *spirit of resistance and disobedience to the law* still unhappily prevails in the Province of the *Massachusetts Bay*, and has in divers parts of it broke forth in fresh violences of a very criminal nature. *These proceedings have been countenanced in other of my Colonies, and unwarrantable attempts have been made to obstruct the commerce of this Kingdom, by unlawful combinations.* I have taken such measures, and given such orders, as I have judged most proper and effectual *for carrying into execution the laws which were passed in the last session of the late Parliament* for the protection and security of the commerce of my subjects, and for the restoring and preserving peace, order, and good government, in the Province of the *Massachusetts Bay*."—*American Archives*, 4th series, vol. i. page 1465.

The King complained of a "daring spirit of resistance and disobedience to the law;" so also does the President. The King adds that it has "broke forth in fresh violences of a very criminal nature;" so also does the President. The King declares that these proceedings have been "countenanced and encouraged in other of my Colonies;" even so the President declares that Kansas has found sympathy in "remote States." The King inveighs

against "unwarrantable measures" and "unlawful combinations;" even so inveighs the President. The King proclaims that he has taken the necessary steps "for carrying into execution the laws," passed in defiance of the constitutional rights of the Colonies; even so the President proclaims that he shall "exert the whole power of the Feddral Executive" to support the Usurpation in Kansas. The parallel is complete. The message, if not copied from the speech of the King, has been fashioned on the same original block, and must be dismissed to the same limbo. I dismiss its tyrannical assumptions in favor of the Usurpation. I dismiss also its petition for additional appropriations in the affected desire to maintain order in Kansas. It is not money or troops that you need there, but simply the good-will of the President. That is all, absolutely. Let his complicity with the Crime cease, and peace will be restored. For myself, I will not consent to wad the national artillery with fresh appropriation bills, when its murderous hail is to be directed against the constitutional rights of my fellow-citizens.

Next comes the *Remedy of Folly*, which, indeed, is also a Remedy of Tyranny; but its Folly is so surpassing as to eclipse even its Tyranny. It does not proceed from the President. With this

proposition he is not in any way chargeable. It comes from the senator from South Carolina, who, at the close of a long speech, offered it as his single contribution to the adjustment of this question, and who thus far stands alone in its support. It might, therefore, fitly bear his name; but that which I now give to it is a more suggestive synonym.

This proposition, nakedly expressed, is, that the people of Kansas should be deprived of their arms. That I may not do the least injustice to the senator, I quote his precise words:

"The President of the United States is under the highest and most solemn obligations to interpose; and, if I were to indicate the manner in which he should interpose in Kansas, I would point out the old common-law process; I would serve a warrant on Sharpe's rifles, and if Sharpe's rifles did not answer the summons, and come into court on a day certain, or if they resisted the sheriff, I would summon the *posse comitatus*, and would have Colonel Sumner's regiment to be a part of that *posse comitatus*."

Really, sir, has it come to this? The rifle has ever been the companion of the pioneer, and, under God, his tutelary protector against the red-man and the beast of the forest. Never was this efficient weapon more needed in just self-defence than now in Kansas, and at least one article in our National Constitution must be blotted out, before the complete right to it can in any way be impeached.

And yet, such is the madness of the hour, that, in defiance of the solemn guaranty, embodied in the Amendments of the Constitution, that "the right of the people to keep and bear arms shall not be infringed," the people of Kansas have been arraigned for keeping and bearing them, and the senator from South Carolina has had the face to say openly, on this floor, that they should be disarmed—of course, that the fanatics of Slavery, his allies and constituents, may meet no impediment. Sir, the senator is venerable with years; he is reputed also to have worn at home, in the State which he represents, judicial honors; and he is placed here at the head of an important committee occupied particularly with questions of law; but neither his years, nor his position, past or present, can give respectability to the demand he has made, or save him from indignant condemnation, when, to compass the wretched purposes of a wretched cause, he thus proposes to trample on one of the plainest provisions of constitutional liberty.

Next comes the *Remedy of Injustice and Civil War*—organized by Act of Congress. This proposition, which is also an offshoot of the original Remedy of Tyranny, proceeds from the senator from Illinois [Mr. DOUGLAS], with the sanction of

the Committee on Territories, and is embodied in the Bill which is now pressed to a vote.

By this Bill it is proposed as follows:

"That whenever it shall appear, by a census to be taken under the direction of the Governor, by the authority of the Legislature, that there shall be 93,420 inhabitants (that being the number required by the present ratio of representation for a member of Congress) within the limits hereafter described as the Territory of Kansas, *the Legislature of said Territory shall be, and is hereby, authorized to provide by law for the election of delegates*, by the people of said Territory, to assemble in Convention, and form a Constitution and State Government, preparatory to their admission into the Union on an equal footing with the original States in all respects whatsoever, by the name of the State of Kansas."

Now, sir, consider these words carefully, and you will see that, however plausible and velvet-pawed they may seem, yet, in reality, they are most unjust and cruel. While affecting to initiate honest proceedings for the formation of a State, they furnish to this Territory no redress for the Crime under which it suffers; nay, they recognize the very Usurpation, in which the Crime ended, and proceed to endow it with new prerogatives. It is *by the authority of the Legislature* that the census is to be taken, which is the first step in the work. It is also *by the authority of the Legislature* that a Convention is to be called for the formation of a Constitution, which is the second step.

But the Legislature is not obliged to take either of these steps. To its absolute wilfulness is it left to act or not to act in the premises. And since, in the ordinary course of business, there can be no action of the Legislature till January of the next year, all these steps, which are preliminary in their character, are postponed till after that distant day—thus keeping this great question open, to distract and irritate the country. Clearly this is not what is required. The country desires peace at once, and is determined to have it. But this objection is slight by the side of the glaring Tyranny, that, in recognizing the Legislature, and conferring upon it these new powers, the Bill recognizes the existing Usurpation, not only as the authentic Government of the Territory for the time being, but also as possessing a creative power to reproduce itself in the new State. Pass this Bill, and you enlist Congress in the conspiracy, not only to keep the people of Kansas in their present subjugation, throughout their Territorial existence, but also to protract this subjugation into their existence as a State, while you legalize and perpetuate the very *force* by which Slavery has been already planted there.

I know that there is another deceptive clause, which seems to throw certain safeguards around the election of delegates to the Convention, *when*

that Convention shall be ordered by the Legislature; but out of this very clause do I draw a condemnation of the Usurpation which the Bill recognizes. It provides that the tests, coupled with the electoral franchise, shall not prevail in the election of delegates, and thus impliedly condemns them. But, if they are not to prevail on this occasion, why are they permitted at the election of the Legislature? If they are unjust in the one case, they are unjust in the other. If annulled at the election of delegates, they should be annulled at the election of the Legislature; *whereas the Bill of the senator leaves all these offensive tests in full activity at the election of the very Legislature out of which this whole proceeding is to come*, and it leaves the polls at both elections in the control of the officers appointed by the Usurpation. Consider well the facts. By an existing statute, establishing the Fugitive Slave Bill as a shibboleth, a large portion of the honest citizens are excluded from voting for the Legislature, while, by another statute, all who present themselves with a fee of one dollar, whether from Missouri or not, and who can utter this shibboleth, are entitled to vote. And it is a Legislature thus chosen, under the auspices of officers appointed by the Usurpation, that you now propose to invest with parental powers to rear the Territory into a

State. You recognize and confirm the Usurpation, which you ought to annul without delay. You put the infant State, now preparing to take a place in our sisterhood, to suckle with the wolf, which you ought at once to kill. The improbable story of Baron Munchausen is verified. The bear, which thrust itself into the harness of the horse it had devoured, and then whirled the sledge according to mere brutal bent, is recognized by this Bill, and kept in its usurped place, when the safety of all requires that it should be shot.

In characterizing this Bill as the Remedy of Injustice and Civil War, I give it a plain, self-evident title. It is a continuation of the Crime against Kansas, and, as such, deserves the same condemnation. It can only be defended by those who defend the Crime. Sir, you cannot expect that the people of Kansas will submit to the usurpation which this Bill sets up, and bids them bow before—as the Austrian tyrant set up his cap in the Swiss market-place. If you madly persevere, Kansas will not be without her William Tell, who will refuse at all hazards to recognize the tyrannical edict; and this will be the beginning of civil war.

Next, and lastly, comes the *Remedy of Justice and Peace*, proposed by the senator from New York [Mr. SEWARD], and embodied in his Bill for

the immediate admission of Kansas as a State of this Union, now pending as a substitute for the Bill of the senator from Illinois. This is sustained by the prayer of the people of the Territory, setting forth a constitution formed by a spontaneous movement, in which all there had opportunity to participate, without distinction of party. Rarely has any proposition, so simple in character, so entirely practicable, so absolutely within your power, been presented, which promised at once such beneficent results. In its adoption, the Crime against Kansas will be all happily absolved, the Usurpation which it established will be peacefully suppressed, and order will be permanently secured. By a joyful metamorphosis, this fair Territory may be saved from outrage.

> "O, help," she cries, "in this extremest need,
> If you who hear are Deities indeed!
> Gape, earth, and make for this dread foe a tomb,
> *Or change my form, whence all my sorrows come!*"

In offering this proposition, the senator from New York has entitled himself to the gratitude of the country. He has, throughout a life of unsurpassed industry, and of eminent ability, done much for Freedom, which the world will not let die; but he has done nothing more opportune than this, and he has uttered no words more effective than

the speech, so masterly and ingenious, by which he has vindicated it.

Kansas now presents herself for admission with a constitution republican in form. And, independent of the great necessity of the case, three considerations of fact concur in commending her. First. She thus testifies her willingness to relieve the Federal Government of the considerable pecuniary responsibility to which it is now exposed on account of the pretended Territorial government. Secondly. She has, by her recent conduct, particularly in repelling the invasion at Wacherusa, evinced an ability to defend her Government. And, thirdly, by the pecuniary credit which she now enjoys she shows an undoubted ability to support it. What now can stand in her way?

The power of Congress to admit Kansas at once is explicit. It is found in a single clause of the constitution, which, standing by itself, without any qualification applicable to the present case, and without doubtful words, requires no commentary. Here it is:

"New States *may* be admitted by Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State, nor any State be formed by the junction of two or more States or parts of States, without the consent of the Legislatures of the States concerned, as well as of the Congress."

New States MAY be admitted. Out of that little word *may* comes the power, broadly and fully,—without any limitation founded on population or preliminary forms,—provided the State is not within the jurisdiction of another State, nor formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States. Kansas is not within the *legal* jurisdiction of another State, although the laws of Missouri have been tyrannically extended over her; nor is Kansas formed by the junction of two or more States; and, therefore, Kansas *may* be admitted by Congress into the Union, without regard to population or preliminary forms. You cannot deny the power, without obliterating this clause of the constitution. The senator from New York was right in rejecting all appeal to precedents, as entirely irrelevant; for the power invoked is clear and express in the constitution, which is above all precedent. But, since precedent has been enlisted, let us look at precedent.

It is objected that the *population* of Kansas is not sufficient for a State; and this objection is sustained by under-reckoning the numbers there, and exaggerating the numbers required by precedent. In the absence of any recent census, it is impossible to do more than approximate to the actual population; but, from careful inquiry of

the best sources, I am led to place it now at fifty thousand, though I observe that a prudent authority, the *Boston Daily Advertiser*, puts it as high as sixty thousand, and, while I speak, this remarkable population, fed by fresh emigration, is outstripping even these calculations. Nor can there be a doubt that, before the assent of Congress can be perfected in the ordinary course of legislation, this population will swell to the large number of ninety-three thousand four hundred and twenty, required in the Bill of the senator from Illinois. *But, in making this number the condition of the admission of Kansas, you set up an extraordinary standard.* There is nothing out of which it can be derived, from the beginning to the end of the precedents. Going back to the days of the Continental Congress, you will find that, in 1784, it was declared that twenty thousand freemen in a Territory might "establish a permanent Constitution and Government for themselves" (*Journals of Congress*, vol. iv., p. 379); and, though this number was afterwards, in the Ordinance of 1787 for the Northwestern Territory, raised to sixty thousand, yet the power was left in Congress, and subsequently exercised in more than one instance, to constitute a State with a smaller number. Out of all the new States, only Maine, Wisconsin, and Texas, contained, at the time of their admission

into the Union, so large a population as it is proposed to require in Kansas; while no less than *fourteen* new States have been admitted with a smaller population; as will appear in the following list, which is the result of research, showing the number of "free inhabitants" in these States at the time of the proceedings which ended in their admission:

Vermont	85,416
Kentucky	61,103
Tennessee	66,649
Ohio	50,000
Louisiana	41,890
Indiana	60,000
Mississippi	35,000
Alabama	50,000
Illinois	45,000
Missouri	56,586
Arkansas	41,000
Michigan	92,673
Florida	27,091
Iowa	81,921
California	92,597

But this is not all. At the adoption of the Federal Constitution, there were three of the old thirteen States whose respective populations did not reach the amount now required for Kansas. These were Delaware, with a population of 59,096; Rhode Island, with a population of 64,689; and Georgia, with a population of 82,548. And even

now, while I speak, there are at least two States, with senators on this floor, which, according to the last census, do not contain the population now required of Kansas. I refer to Delaware, with a population of 91,635, and Florida, with a population of freemen amounting only to 47,203. So much for precedents of population.

But, in sustaining this objection, it is not uncommon to depart from the strict rule of numerical precedent, by suggesting that the population required in a new State has always been, in point of fact, above the existing ratio of representation for a member of the House of Representatives. But this is not true; for at least one State, Florida, was admitted with a population below this ratio, which at the time was 70,680. So much, again, for precedents. But, even if this coincidence were complete, it would be impossible to press it into a binding precedent.

The rule seems reasonable, and, in ordinary cases, would not be questioned; but it cannot be drawn or implied from the constitution. Besides, this ratio is, in itself, a sliding scale. At first it was 33,000; and this continued till 1811, when it was put at 35,000. In 1822, it was 40,000; in 1832, it was 47,700; in 1842, it was 70,680; and now, it is 93,420. If any ratio is to be made the foundation of a binding rule, it should be that

which prevailed at the adoption of the constitution, and which still continued, when Kansas, as a part of Louisiana, was acquired from France, under solemn stipulation that it should "be incorporated into the Union of the United States *as soon as* may be consistent with the principles of the Federal Constitution." But this whole objection is met by the memorial of the people of Florida, which, if good for that State, is also good for Kansas. Here is a passage:

"But the people of Florida respectfully insist that their right to be admitted into the Federal Union as a State is not dependent upon the fact of their having a population equal to such ratio. Their right to admission, it is conceived, is guaranteed by the express pledge in the sixth article of the treaty before quoted; and if any rule as to the number of the population is to govern, it should be that in existence at the time of the cession, which was thirty-five thousand. They submit, however, that any ratio of representation dependent upon legislative action, based solely on convenience and expediency, shifting and vacillating as the opinion of a majority of Congress may make it, now greater than at a previous apportionment, but which a future Congress may prescribe to be less, cannot be one of the *constitutional* 'PRINCIPLES' referred to in the treaty, consistency with which, by its terms, is required. It is, in truth, but a mere regulation, not founded on principle. No specified number of population is required by any recognized principle as necessary in the establishment of a free Government.

"It is in no wise '*inconsistent with the principles of the Federal Constitution*,' that the population of a State should be less than the ratio of Congressional representation. The very case is provided for in the constitution. With such

deficient population, she would be entitled to one Representative. If any event should cause a decrease of the population of one of the States even to a number below the *minimum* ratio of representation prescribed by the constitution, she would still remain a member of the Confederacy, and be entitled to such Representative. It is respectfully urged, that a rule or principle which would not justify the *expulsion* of a State with a deficient population, on the ground of inconsistency with the constitution, should not exclude or prohibit *admission*."—(*Exec. Doc.*, 27*th Congr.*, 2*d sess.*, Vol. 4, No. 206.)

Thus, sir, do the people of Florida plead for the people of Kansas.

Distrusting the objection from inadequacy of population, it is said that the *proceedings for the formation of a new State are fatally defective in form.* It is not asserted that a previous enabling act of Congress is indispensable; for there are notorious precedents the other way, among which are Kentucky in 1791, Tennessee in 1796, Maine in 1820, and Arkansas and Michigan in 1836. But it is urged that in no instance has a State been admitted whose constitution was formed without such enabling act, or without the authority of the Territorial Legislature. This is not true; for California came into the Union with a constitution, formed not only without any previous enabling act, but also without any sanction from a Territorial Legislature. The proceedings which ended in this constitution were initiated by the military

Governor there, acting under the exigency of the hour. This instance may not be identical in all respects with that of Kansas; but it displaces completely one of the assumptions which Kansas now encounters, and it also shows completely the disposition to relax all rule, under the exigency of the hour, in order to do substantial justice.

But there is a memorable instance, which contains in itself every element of irregularity which you denounce in the proceedings of Kansas. Michigan, now cherished with such pride as a sister State, achieved admission into the Union in persistent defiance of all rule. Do you ask for precedents? Here is a precedent for the largest latitude, which you, who profess a deference to precedent, cannot disown. Mark now the stages of this case. The first proceedings of Michigan were without any previous enabling act of Congress; and she presented herself at your door with a constitution thus formed, and with senators chosen under that constitution, precisely as Kansas now. This was in December, 1835, while Andrew Jackson was President. By the leaders of the Democracy at that time, all objection for alleged defects of form were scouted, and language was employed which is strictly applicable to Kansas. There is nothing new under the sun; and the very objection of the President, that the application of

Kansas proceeds from "persons acting against authorities duly constituted by act of Congress," was hurled against the application of Michigan, in debate on this floor, by Mr. Hendricks, of Indiana. This was his language:

"But the people of Michigan, in presenting their Senate and House of Representatives as the legislative power existing there, *showed that they had trampled upon and violated the laws of the United States establishing a Territorial Government in Michigan.* These laws were, or ought to be, in full force there; but, by the character and position assumed, they had set up a Government antagonist to that of the United States."—(*Congress. Deb.*, Vol. 12, p. 288, 24*th Cong.*, 1*st session.*)

To this impeachment, Mr. Benton replied in these effective words:

"Conventions were original acts of the people. They depended upon inherent and inalienable rights. The people of any State may at any time meet in Convention, without a law of their Legislature, and without any provision or against any provision in their constitution, and may alter or abolish the whole frame of Government, as they please. The sovereign power to govern themselves was in the majority, and they could not be divested of it."—(*Ibid.*, p. 1036.)

Mr. Buchanan vied with Mr. Benton in vindicating the new State:

"The precedent in the case of Tennessee has completely silenced all opposition in regard to the necessity of a previous act of Congress to enable the people of Michigan to form a

State Constitution. It now seems to be conceded that our subsequent approbation is equivalent to our previous action. This can no longer be doubted. *We have the unquestionable power of waiving any irregularities in the mode of framing the constitution, had any such existed.*"—(*Ibid.*, p. 1041.)

"He did hope that by this bill all objections would be removed; and that this State, so ready to rush into our arms, would not be repulsed, *because of the absence of some formalities which perhaps were very proper, but certainly not indispensable.*"—(*Ibid.*, p. 1015.)

After an animated contest in the Senate, the Bill for the admission of Michigan, *on her assent to certain conditions*, was passed, by twenty-three yeas to eight nays. But you find weight, as well as numbers, on the side of the new State. Among the yeas were Thomas H. Benton, of Missouri, James Buchanan, of Pennsylvania, Silas Wright, of New York, W. R. King, of Alabama.—(*Cong. Globe*, Vol. 3d, p. 276, 1*st session* 24*th Cong.*) Subsequently, on motion of Mr. Buchanan, the two gentlemen sent as senators by the new State received the regular compensation for attendance throughout the very session in which their seats had been so acrimoniously assailed.—(*Ibid.*, p. 448.)

In the House of Representatives the application was equally successful. The Committee on the Judiciary, in an elaborate report, reviewed the objections, and, among other things, said:

"That the people of Michigan have without due authority formed a State Government, but, nevertheless, *that Congress*

has power to waive any objection which might, on that account, be entertained to the ratification of the constitution which they have adopted, and to admit their Senators and Representatives to take their seats in the Congress of the United States."—(*Exec. Doc.*, 1*st sess.* 24*th Cong.*, Vol. 2, No. 380.)

The House sustained this view by a vote of one hundred and fifty-three yeas to forty-five nays. In this large majority, by which the title of Michigan was then recognized, will be found the name of Franklin Pierce, at that time a Representative from New Hampshire.

But the case was not ended. The fiercest trial and the greatest irregularity remained. The act providing for the admission of the new State contained a modification of its boundaries, and proceeded to require, as a *fundamental condition*, that these should "receive the assent of a Convention of delegates, elected by the people of the said State, for the sole purpose of giving the assent herein required."—(*Statutes at Large*, Vol. 5, p. 50, *Act of June* 5*th*, 1836.) Such a Convention, duly elected under a call from the Legislature, met in pursuance of law, and, after consideration, declined to come into the Union on the condition proposed. But the action of this Convention was not universally satisfactory, and, in order to effect an admission into the Union, another Convention was called *professedly* by the people, in their

sovereign capacity, without any authority from State or Territorial Legislature; nay, sir, according to the language of the present President, "against authorities duly constituted by Act of Congress;" at least, as much as the recent Convention in Kansas. The irregularity of this Convention was increased by the circumstance that two of the oldest counties of the State, comprising a population of some twenty-five thousand souls, refused to take any part in it, even to the extent of not opening the polls for the election of delegates, claiming that it was held without warrant of law, and in defiance of the legal Convention. This popular Convention, though wanting a popular support coëxtensive with the State, yet proceeded, by formal act, to give the assent of the people of Michigan to the fundamental condition proposed by Congress.

The proceedings of the two Conventions were transmitted to President Jackson, who, by message, dated 27th December, 1836, laid them both before Congress, indicating very clearly his desire to ascertain the will of the people, without regard to form. The origin of the popular Convention he thus describes:

"This Convention was not held or elected by virtue of any act of the Territorial or State Legislature. It originated from the People themselves, and was chosen by them in

pursuance of resolutions adopted in primary assemblies held in the respective counties."—(*Sen. Doc.*, 2*d sess.* 24*th Cong.*, Vol. 1, No. 36.)

And he then declares that, had these proceedings come to him during the recess of Congress, he should have felt it his duty, on being satisfied that they emanated from a Convention of delegates elected *in point of fact by the people of the State*, to issue his proclamation for the admission of the State.

The Committee on the Judiciary in the Senate, of which FELIX GRUNDY was Chairman, after inquiry, recognized the competency of the popular Convention, as "elected by the people of the State of Michigan," and reported a Bill, responsive to their assent of the proposed condition, for the admission of the State without further condition.—(*Statutes at Large*, Vol. 5, p. 144, *Act of* 26*th Jan.*, 1837.) Then, sir, appeared the very objections which are now directed against Kansas. It was complained that the movement for immediate admission was the work of "a minority," and that "a great majority of the State feel otherwise."—(*Sen. Doc.*, 2*d sess.* 24*th Cong.*, Vol. 1, No. 37.) And a leading senator, of great ability and integrity, Mr. EWING, of Ohio, broke forth in a catechism which would do for the present hour. He exclaimed:

"What evidence had the Senate of the organization of the Convention? of the organization of the popular assemblies who appointed their delegates to that Convention? None on earth. Who they were that met and voted, we had no information. Who gave the notice? And for what did the people receive the notice? To meet and elect? What evidence was there that the Convention acted according to law? Were the delegates sworn? And if so, they were extra-judical oaths, and not binding upon them. Were the votes counted? In fact, it was not a proceeding under the forms of law, for they were totally disregarded."—(*Cong. Globe*, Vol. 4, p. 60, 2*d sess.*, 24*th Cong.*)

And the same able senator, on another occasion, after exposing the imperfect evidence with regard to the action of the Convention, existing only in letters, and in an article from a Detroit newspaper, again exclaimed:

"This, sir, is the evidence to support an organic law of a new State about to enter into the Union! Yes, of an organic law, the very highest act a community of men can perform. Letters referring to other letters, and a scrap of a newspaper."—(*Cong. Debates*, Vol. 13, Part I., p. 233.)

It was Mr. Calhoun, however, who pressed the opposition with the most persevering intensity. In his sight, the admission of Michigan, under the circumstances, "would be the most monstrous proceeding under our constitution that can be conceived, the most repugnant to its principles, and dangerous in its consequences."—(*Cong. Debates*, Vol. 13, p. 210.) "There is not," he exclaimed,

"one particle of official evidence before us. We have nothing but the private letters of individuals, who do not know even the numbers that voted on either occasion. They know nothing of the qualifications of voters, nor how their votes were received, nor by whom counted."—(*Ibid.*) And he proceeded to characterize the popular Convention as "not only a party caucus, for party purpose, but a criminal meeting,—a meeting to subvert the authority of the State, and to assume its sovereignty;" adding, "that the actors in that meeting might be indicted, tried, and punished;" and he expressed astonishment that "a self-created meeting, convened for a criminal object, had dared to present to this Government an act of theirs, and to expect that we are to receive this irregular and criminal act as a fulfilment of the condition which we had presented for the admission of the State!"—(*Ibid.*, p. 299.) No stronger words have been employed against Kansas.

But the single question on which all the proceedings then hinged, and which is as pertinent in the case of Kansas as in the case of Michigan, was thus put by Mr. MORRIS, of Ohio (*Ibid.*, p. 215): "*Will Congress recognize as valid, constitutional, and obligatory, without the color of a law of Michigan to sustain it, an act done by the People of that State in their primary assemblies,*

and acknowledge that act as obligatory on the constituted authorities and Legislature of the State?"

This question, thus distinctly presented, was answered in debate by able Senators, among whom were Mr. BENTON and Mr. KING. But there was one person, who has since enjoyed much public confidence, and has left many memorials of an industrious career in the Senate and in diplomatic life, JAMES BUCHANAN, who rendered himself conspicuous by the ability and ardor with which, against all assaults, he upheld the cause of the popular Convention,—which was so strongly denounced,—and the entire conformity of its proceedings with the genius of American Institutions. His speeches on that occasion contain an unanswerable argument, at all points, *mutato nomine*, for the immediate admission of Kansas under her present constitution; nor is there any thing by which he is now distinguished that will redound so truly to his fame, if he only continues true to them. But the question was emphatically answered in the Senate by the final vote on the passage of the Bill, where we find twenty-five yeas to only ten nays. In the House of Representatives, after debate, the question was answered in the same way, by a vote of one hundred and forty-eight yeas to fifty-eight nays; and among the yeas is

again the name of FRANKLIN PIERCE, a Representative from New Hampshire.

Thus, in that day, by such triumphant votes, did the cause of Kansas prevail in the name of Michigan. A popular Convention, called absolutely without authority, and containing delegates from a portion only of her population,—called, too, in opposition to constituted authorities, and in derogation of another Convention assembled under the forms of law,—stigmatized as a caucus and a criminal meeting, whose authors were liable to indictment, trial, and punishment,—was, after ample debate, recognized by Congress as valid; and Michigan now holds her place in the Union, and her senators sit on this floor, by virtue of that act. Sir, if Michigan is legitimate, Kansas cannot be illegitimate. You bastardize Michigan when you refuse to recognize Kansas.

Again, I say, do you require a precedent? I give it to you. But I will not stake this cause on any precedent. I plant it firmly on the fundamental principle of American Institutions, as embodied in the Declaration of Independence, by which Government is recognized as deriving its just powers only *from the consent of the governed*, who may alter or abolish it when it becomes destructive of their rights. In the debate on the Nebraska Bill, at the overthrow of the Prohibition

of Slavery, the Declaration of Independence was denounced as a "self-evident lie." It is only by a similar audacity that the fundamental principle which sustains the proceedings in Kansas can be assailed. Nay, more: you must disown the Declaration of Independence, and adopt the Circular of the Holy Alliance, which declares that "useful and necessary changes in legislation and in the administration of States *ought only to emanate from the free will and the intelligent and well-weighed conviction of those whom God has rendered responsible for power.*" Face to face, I put the principle of the Declaration of Independence and the principle of the Holy Alliance, and bid them grapple! "The one places the remedy in the hands which *feel* the disorder; the other places the remedy in the hands which *cause* the disorder;" and when I thus truthfully characterize them, I but adopt a sententious phrase from the Debates in the Virginia Convention on the adoption of the Federal Constitution.—(3 *Elliot's Debates*, 107: *Mr. Corbin.*) And now these two principles, embodied in the rival propositions of the senator from New York and the senator from Illinois, must grapple on this floor.

Statesmen and judges, publicists and authors, with names of authority in American history, espouse and vindicate the American principle.

Hand in hand, they now stand around Kansas, and feel this new State lean on them for support. Of these I content myself with adducing two only, both from slave-holding Virginia, in days when Human Rights were not without support in that State. Listen to the language of St. George Tucker, the distinguished commentator upon Blackstone, uttered from the bench in a judicial opinion:

"The power of convening the legal Assemblies, or the ordinary constitutional Legislature, *resided solely in the Executive.* They could neither be chosen without writs issued by its authority, nor assemble, when chosen, but under the same authority. The Conventions, on the contrary, were chosen and assembled, either in pursuance of recommendations from Congress, or from their own bodies, *or by the discretion and common consent of the people.* They were held even whilst a legal Assembly existed. Witness the Convention held at Richmond in March, 1775, after which period the legal constitutional Assembly was convened in Williamsburgh, by the Governor, Lord Dunmore. * * * *Yet a constitutional dependence on the British Government was never denied until the succeeding May.* * * The Convention, then, was not the ordinary Legislature of Virginia. It was the body of the people, impelled to assemble from a sense of common danger, consulting for the common good, and acting in all things for the common safety."—(1 *Virginia Cases*, 70, 71, *Kamper* vs. *Hawkins.*)

Listen, also, to the language of James Madison:

"That in all great changes of established government, forms ought to give way to substance; that a rigid inherence in such cases to the forms would render nominal and

nugatory the transcendent and precious right of the people 'to abolish or alter their Government, as to them shall seem most likely to effect their safety and happiness.' * * Nor can it have been forgotten *that no little, ill-timed scruples, no zeal for adhering to ordinary forms, were anywhere seen, except in those who wished to indulge, under these masks, their secret enmity to the substance contended for.*"—(*The Federalist*, No. 40.)

Proceedings thus sustained I am unwilling to call *revolutionary*, although this term has the sanction of the senator from New York. They are founded on an unquestionable American right, declared with Independence, confirmed by the blood of the fathers, and expounded by patriots, which cannot be impeached without impairing the liberties of all. On this head the language of Mr. Buchanan, in reply to Mr. Calhoun, is explicit:

"Does the senator [Mr. Calhoun] contend, then, that if, in one of the States of this Union, the Government be so organized as to utterly destroy the right of equal representation, there is no mode of obtaining redress but by an act of the Legislature authorizing a Convention, or by open rebellion? Must the people step at once from oppression to open war? Must it be either absolute submission, or absolute revolution? *Is there no middle course?* I cannot agree with the senator. I say that the whole history of our Government establishes the principle that the people are sovereign, and that a majority of them can alter or change their fundamental laws at pleasure. *I deny that this is either rebellion or revolution. It is an essential and a recognized principle in all our forms of government.*"—(*Congress. Deb.*, Vol. 13, p. 313, 24th Cong., 2d session.)

Surely, sir, if ever there was occasion for the exercise of this right, the time had come in Kansas. The people there had been subjugated by a horde of foreign invaders, and brought under a tyrannical code of revolting barbarity, while property and life among them were left exposed to audacious assaults which flaunted at noonday, and to reptile abuses which crawled in the darkness of night. *Self-defence is the first law of nature;* and unless this law is temporarily silenced, —as all other law has been silenced there,—you cannot condemn the proceedings in Kansas. Here, sir, is an unquestionable authority, *in itself an overwhelming law*, which belongs to all countries and times; which is the same in Kansas as at Athens and Rome; which is now, and will be hereafter, as it was in other days; in presence of which Acts of Congress and Constitutions are powerless as the voice of man against the thunder which rolls through the sky; which whispers itself coeval with life; whose very breath is life itself; and now, in the last resort, do I place all these proceedings under this supreme safeguard, which you will assail in vain. Any opposition must be founded on a fundamental perversion of facts, or a perversion of fundamental principles, which no speeches can uphold, though surpassing in numbers the nine hundred thousand piles driven

into the mud in order to sustain the Dutch Stadthouse at Amsterdam!

Thus, on every ground of precedent, whether as regards population or forms of proceeding; also, on the vital principle of American Institutions; and, lastly, on the absolute law of self-defence, do I now invoke the power of Congress to admit Kansas at once and without hesitation into the Union. "New States *may* be admitted by the Congress into the Union;" such are the words of the Constitution. If you hesitate for want of precedent, then do I appeal to the great principle of American Institutions. If, forgetting the origin of the Republic, you turn away from this principle, then, in the name of human nature, trampled down and oppressed, but aroused to a just self-defence, do I plead for the exercise of this power. Do not hearken, I pray you, to the propositions of Tyranny and Folly; do not be ensnared by that other proposition of the senator from Illinois [Mr. DOUGLAS], in which is the horrid root of Injustice and Civil War. But apply gladly, and at once, the True Remedy, wherein are Justice and Peace.

Mr. President, an immense space has been traversed, and I now stand at the goal. The argument in its various parts is here closed. The Crime against Kansas has been displayed in its origin

and extent, beginning with the overthrow of the Prohibition of Slavery; next cropping out in conspiracy on the borders of Missouri; then hardening into a continuity of outrage, through organized invasions and miscellaneous assaults, in which all security was destroyed, and ending at last in the perfect subjugation of a generous people to an unprecedented Usurpation. Turning aghast from the Crime, which, like murder, seemed to confess itself "with most miraculous organ," we have looked with mingled shame and indignation upon the four Apologies, whether of Tyranny, Imbecility, Absurdity, or Infamy, in which it has been wrapped, marking especially the false testimony, congenial with the original Crime, against the Emigrant Aid Company. Then were noted, in succession, the four Remedies, whether of Tyranny, Folly, Injustice and Civil War, or Justice and Peace; which last bids Kansas, in conformity with past precedents and under the exigencies of the hour, in order to redeem her from Usurpation, to take a place as a sovereign State of the Union; and this is the True Remedy. If in this argument I have not unworthily vindicated Truth, then have I spoken according to my desires; if imperfectly, then only according to my powers. But there are other things, not belonging to the argument, which still press for utterance.

Sir, the people of Kansas, bone of your bone and flesh of your flesh, with the education of freemen and the rights of American citizens, now stand at your door. Will you send them away, or bid them enter? Will you push them back to renew their struggles with a deadly foe, or will you preserve them in security and peace? Will you cast them again into the den of Tyranny, or will you help their despairing efforts to escape? These questions I put with no common solicitude; for I feel that on their just determination depend all the most precious interests of the Republic; and I perceive too clearly the prejudices in the way, and the accumulating bitterness against this distant people, now claiming their simple birthright, while I am bowed with mortification, as I recognize the President of the United States, who should have been a staff to the weak and a shield to the innocent, at the head of this strange oppression.

At every stage, the similitude between the wrongs of Kansas and those other wrongs against which our Fathers rose becomes more apparent. Read the Declaration of Independence, and there is hardly an accusation which is there directed against the British Monarch, which may not now be directed with increased force against the American President. The parallel has a fearful particularity. Our Fathers complained that the king

had "sent hither swarms of officers, to harass our people and eat out their substance;" that he "had combined with others to subject us to a jurisdiction foreign to our constitution, *giving his assent to their acts of pretended legislation;*" that "he had abdicated government here, by declaring us out of his protection, and *waging war against us;*" that "he had excited domestic insurrection among us, and *endeavored to bring on the inhabitants of our frontier the merciless savages;*" that "our repeated petitions have been answered only by repeated injury." And this arraignment was aptly followed by the damning words, that "a Prince, whose character is thus marked by every act which may define a tyrant, is unfit to be the ruler of a free people." And surely, a President who has done all these things cannot be less unfit than a Prince. At every stage, the responsibility is brought directly to him. His offence has been both of commission and omission. He has done that which he ought not to have done, and he has left undone that which he ought to have done. By his activity, the Prohibition of Slavery was overturned. By his failure to act, the honest emigrants in Kansas have been left a prey to wrong of all kinds. *Nullum flagitium extitit, nisi per te; nullum flagitium sine te.* And now he stands

forth the most conspicuous enemy of that unhappy Territory.

As the tyranny of the British King is all renewed in the President, so on this floor have the old indignities been renewed which embittered and fomented the troubles of our Fathers. The early petition of the American Congress to Parliament, long before any suggestion of Independence, was opposed—like the petitions of Kansas—because that body "was assembled without any requisition on the part of the Supreme Power." Another petition from New York, presented by Edmund Burke, was flatly rejected, as claiming rights derogatory to Parliament. And still another petition from Massachusetts Bay was dismissed as "vexatious and scandalous," while the patriot philosopher who bore it was exposed to peculiar contumely. Throughout the debates, our Fathers were made the butt of sorry jests and supercilious assumptions. And now these scenes, with these precise objections, have been renewed in the American Senate.

With regret, I come again upon the senator from South Carolina [Mr. BUTLER], who, omnipresent in this debate, overflowed with rage at the simple suggestion that Kansas had applied for admission as a State; and, with incoherent phrases, discharged the loose expectoration of his speech,

now upon her representative, and then upon her people. There was no extravagance of the ancient Parliamentary debate which he did not repeat; nor was there any possible deviation from truth which he did not make, with so much of passion, I am glad to add, as to save him from the suspicion of intentional aberration. But the senator touches nothing that he does not disfigure—with error, sometimes of principle, sometimes of fact. He shows an incapacity of accuracy, whether in stating the constitution or in stating the law, whether in the details of statistics or the diversions of scholarship. He cannot ope his mouth, but out there flies a blunder. Surely he ought to be familiar with the life of Franklin; and yet he referred to this household character, while acting as agent of our Fathers in England, as above suspicion; and this was done that he might give point to a false contrast with the agent of Kansas, not knowing that, however they may differ in genius and fame, in this experience they are alike: that Franklin, when intrusted with the petition of Massachusetts Bay, was assaulted by a foul-mouthed speaker, where he could not be heard in defence, and denounced as a "thief," even as the agent of Kansas has been assaulted on this floor, and denounced as a "forger." And let not the vanity of the senator be inspired by the parallel with the

British statesman of that day; for it is only in hostility to Freedom that any parallel can be recognized.

But it is against the people of Kansas that the sensibilities of the senator are particularly aroused. Coming, as he announces, "from a State,"—ay, sir, from South Carolina,—he turns with lordly disgust from this newly-formed community, which he will not recognize even as "a body politic." Pray, sir, by what title does he indulge in this egotism? Has he read the history of "the State" which he represents? He cannot surely have forgotten its shameful imbecility from Slavery, confessed throughout the Revolution, followed by its more shameful assumptions for Slavery since. He cannot have forgotten its wretched persistence in the slave-trade as the very apple of its eye, and the condition of its participation in the Union. He cannot have forgotten its constitution, which is republican only in name, confirming power in the hands of the few, and founding the qualifications of its legislators on "a settled freehold estate, or ten negroes." And yet the senator, to whom that "State" has in part committed the guardianship of its good name, instead of moving with backward-treading steps, to cover its nakedness, rushes forward, in the very ecstasy of madness, to expose it, by provoking a comparison with Kansas. South

Carolina is old; Kansas is young. South Carolina counts by centuries, where Kansas counts by years. But a beneficent example may be born in a day; and I venture to say, that against the two centuries of the older "State" may be already set the two years of trial, evolving corresponding virtue, in the younger community. In the one, is the long wail of Slavery; in the other, the hymns of Freedom. And if we glance at special achievements, it will be difficult to find any thing in the history of South Carolina which presents so much of heroic spirit in an heroic cause as appears in that repulse of the Missouri invaders by the beleaguered town of Lawrence, where even the women gave their effective efforts to Freedom. The matrons of Rome, who poured their jewels into the treasury for the public defence; the wives of Prussia, who, with delicate fingers, clothed their defenders against French invasion; the mothers of our own Revolution, who sent forth their sons, covered over with prayers and blessings, to combat for human rights, did nothing of self-sacrifice truer than did these women on this occasion. Were the whole history of South Carolina blotted out of existence, from its very beginning down to the day of the last election of the senator to his present seat on this floor, civilization might lose—I do not say how little; but surely less than it has

already gained by the example of Kansas, in its valiant struggle against oppression, and in the development of a new science of emigration. Already in Lawrence alone there are newspapers and schools, including a High School, and throughout this infant Territory there is more of mature scholarship, in proportion to its inhabitants, than in all South Carolina. Ah, sir, I tell the senator that Kansas, welcomed as a free State, will be a "ministering angel" to the Republic, when South Carolina, in the cloak of darkness which she hugs, "lies howling."

The senator from Illinois [Mr. DOUGLAS] naturally joins the senator from South Carolina in this warfare, and gives to it the superior intensity of his nature. He thinks that the National Government has not completely proved its power, as it has never hanged a traitor; but if the occasion requires, he hopes there will be no hesitation; and this threat is directed at Kansas, and even at the friends of Kansas throughout the country. Again occurs the parallel with the struggles of our Fathers; and I borrow the language of Patrick Henry, when to the cry from the senator of "treason," "treason," I reply, "If this be treason, make the most of it." Sir, it is easy to call names; but I beg to tell the senator that if the word "traitor" is in any way applicable to those who refuse sub-

mission to a tyrannical Usurpation, whether in Kansas or elsewhere, then must some new word, of deeper color, be invented, to designate those mad spirits who would endanger and degrade the Republic, while they betray all the cherished sentiments of the Fathers, and the spirit of the constitution, in order to give new spread to Slavery. Let the senator proceed. It will not be the first time in history that a scaffold erected for punishment has become a pedestal of honor. Out of death comes life; and the "traitor," whom he blindly executes, will live immortal in the cause.

"For Humanity sweeps onward; where to-day the martyr stands,
On the morrow crouches Judas, with the silver in his hands;
While the hooting mob of yesterday in silent awe return,
To glean up the scattered ashes into History's golden urn."

Among these hostile senators, there is yet another, with all the prejudices of the senator from South Carolina, but without his generous impulses, who, on account of his character before the country, and the rancor of his opposition, deserves to be named. I mean the senator from Virginia [Mr. MASON], who, as the author of the Fugitive Slave Bill, has associated himself with a special act of inhumanity and tyranny. Of him I shall say little, for he has said little in this debate, though within that little was compressed the bitterness of a life absorbed in the support of Slavery.

He holds the commission of Virginia; but he does not represent that early Virginia, so dear to our hearts, which gave to us the pen of Jefferson, by which the equality of men was declared, and the sword of Washington, by which Independence was secured; but he represents that other Virginia, from which Washington and Jefferson now avert their faces, where human beings are bred as cattle for the shambles, and where a dungeon rewards the pious matron who teaches little children to relieve their bondage by reading the Book of Life. It is proper that such a senator, representing such a State, should rail against Free Kansas.

But this is not all. The precedent is still more clinching. Thus far I have followed exclusively the public documents laid before Congress, and illustrated by the debates of that body; but well-authenticated facts, not of record here, make the case stronger still. It is sometimes said that the proceedings in Kansas are defective, because they originated in a party. This is not true; but, even if it were true, then would they still find support in the example of Michigan, where all the proceedings, stretching through successive years, began and ended in party. The proposed State Government was pressed by the Democrats as a *party test;* and all who did not embark in it were denounced. Of the Legislative Council,

which called the first Constitutional Convention in 1835, all were Democrats; and in the Convention itself, composed of eighty-seven members, only seven were Whigs. The Convention of 1836, which gave the final assent, originated in a Democratic Convention on the 29th October, in the County of Wayne, composed of one hundred and twenty-four delegates, all Democrats, who proceeded to resolve—

"That the delegates of the *Democratic party* of Wayne, solemnly impressed with the spreading evils and dangers which a refusal to go into the Union has brought upon the people of Michigan, earnestly recommend meetings to be immediately convened by their fellow-citizens in every County of the State, with a view to the expression of their sentiments in favor of the election and call of another Convention, in time to secure our admission into the Union before the first of January next."

Shortly afterwards, a committee of five, appointed by this Convention, all leading Democrats, issued a circular, "under the authority of the delegates of the County of Wayne," recommending that the voters throughout Michigan should meet and elect delegates to a Convention to give the necessary assent to the Act of Congress. In pursuance of this call, the Convention met; and, as it originated in an exclusively party recommendation, so it was of an exclusively party

character. And it was the action of this Convention that was submitted to Congress, and, after discussion in both bodies, on solemn votes, approved.

But the precedent of Michigan has another feature, which is entitled to the gravest attention, especially at this moment, when citizens engaged in the effort to establish a State Government in Kansas are openly arrested on the charge of treason, and we are startled by tidings of the maddest efforts to press this procedure of preposterous Tyranny. No such madness prevailed under Andrew Jackson; although, during the long pendency of the Michigan proceedings, for more than fourteen months, the Territorial Government was entirely ousted, and the State Government organized in all its departments. One hundred and thirty different legislative acts were passed, providing for elections, imposing taxes, erecting corporations, and establishing courts of justice, including a Supreme Court and a Court of Chancery. All process was issued in the name of the people of the State of Michigan. And yet no attempt was made to question the legal validity of these proceedings, whether legislative or judicial. Least of all did any menial Governor, dressed in a little brief authority, play the fantastic tricks which we now witness in Kansas;

nor did any person, wearing the robes of justice, shock high Heaven with the mockery of injustice now enacted by emissaries of the President in that Territory. No, sir; nothing of this kind then occurred. Andrew Jackson was President.

Senators such as these are the natural enemies of Kansas; and I introduce them with reluctance, simply that the country may understand the character of the hostility which must be overcome. Arrayed with them, of course, are all who unite, under any pretext or apology, in the propagandism of Human Slavery. To such, indeed, the time-honored safeguards of popular rights can be a name only, and nothing more. What are trial by jury, habeas corpus, the ballot-box, the right of petition, the liberty of Kansas, your liberty, sir, or mine, to one who lends himself not merely to the support at home, but to the propagandism abroad, of that preposterous wrong, which denies even the right of a man to himself? Such a cause can be maintained only by a practical subversion of all rights. It is, therefore, merely according to reason that its partisans should uphold the Usurpation in Kansas.

To overthrow this Usurpation is now the special, importunate duty of Congress, admitting of no hesitation or postponement. To this end, it must lift itself from the cabals of candidates, the machina-

tions of party, and the low level of vulgar strife. It must turn from that Slave Oligarchy which now controls the Republic, and refuse to be its tool. Let its power be stretched forth towards this distant Territory, not to bind, but to unbind; not for the oppression of the weak, but for the subversion of the tyrannical; not for the prop and maintenance of a revolting Usurpation, but for the confimation of Liberty.

"These are imperial arts, and worthy thee!"

Let it now take its stand between the living and dead, and cause this plague to be stayed. All this it can do; and if the interests of Slavery did not oppose, all this it would do at once, in reverent regard for justice, law, and order, driving far away all the alarms of war; nor would it dare to brave the shame and punishment of this Great Refusal. But the Slave Power dares any thing; and it can be conquered only by the united masses of the People. From Congress to the People, I appeal.

Already Public Opinion gathers unwonted forces to scourge the aggressors. In the press, in daily conversation, wherever two or three are gathered together, there the indignant utterance finds vent. And trade, by unerring indications, attests the growing energy. Public credit in Missouri droops. The six per cents of that State,

which at par should be one hundred and two, have sunk to eighty-four and one-fourth—thus at once completing the evidence of Crime, and attesting its punishment. Business is now turning from the Assassins and Thugs, that infest the Missouri River on the way to Kansas, to seek some safer avenue. And this, though not unimportant in itself, is typical of greater changes. The political credit of the men who uphold the Usurpation droops even more than the stocks; and the People are turning from all those through whom the Assassins and Thugs have derived their disgraceful immunity.

It was said of old, "Cursed be he that removeth his neighbor's Landmark. *And all the people shall say, Amen.*"—(*Deut.* xxvii. 17.) Cursed, it is said, in the city, and in the field; cursed in basket and store; cursed when thou comest in, and cursed when thou goest out. These are terrible imprecations; but, if ever any Landmark were sacred, it was that by which an immense territory was guarded *forever* against Slavery; and if ever such imprecations could justly descend upon any one, they must descend now upon all who, not content with the removal of this sacred Landmark, have since, with criminal complicity, fostered the incursions of the great Wrong against which it was intended to guard. But I utter no imprecations.

These are not my words; nor is it my part to add to or subtract from them. But, thanks be to God! they find a response in the hearts of an aroused People, making them turn from every man, whether President, or senator, or representative, who has been engaged in this Crime,—especially from those who, cradled in free institutions, are without the apology of education or social prejudice,—until of all such those other words of the prophet shall be fulfilled—"I will set my face against that man, and make him a sign and a proverb, and I will cut him off from the midst of my people."—(*Ezekiel* xiv. 8.) Turning thus from the authors of this Crime, the People will unite once more with the Fathers of the Republic, in a just condemnation of Slavery,—determined especially that it shall find no home in the National Territories,—while the Slave Power, in which the crime had its beginning, and by which it is now sustained, will be swept into the charnel-house of defunct Tyrannies.

In this contest, Kansas bravely stands forth—the stripling leader, clad in the panoply of American institutions. In calmly meeting and adopting a frame of Government, her people have with intuitive promptitude performed the duties of Freemen; and when I consider the difficulties by which she was beset, I find dignity in her attitude.

In offering herself for admission into the Union as a FREE STATE, *she presents a single issue for the People to decide.* And since the Slave Power now stakes on this issue all its ill-gotten supremacy, the People, while vindicating Kansas, will at the same time overthrow this Tyranny. Thus does the contest which she now begins involve not only Liberty for herself, but for the whole country. God be praised, that she did not bend ignobly beneath the yoke! Far away on the prairies, she is now battling for the Liberty of all, against the President, who misrepresents all. Everywhere among those who are not insensible to Right the generous struggle meets a generous response. From innumerable throbbing hearts go forth the very words of encouragement which, in the sorrowful days of our Fathers, were sent by Virginia, speaking by the pen of Richard Henry Lee, to Massachusetts, in the person of her popular tribune, Samuel Adams:

"*Chantilly* (*Va.*), *June* 23*d*, 1774.

"I hope the good people of Boston will not lose their spirits under their present heavy oppression, for they will certainly be supported by the other Colonies; and the cause for which they suffer is so glorious, and so deeply interesting to the present and future generations, that all America will owe, in a great measure, their political salvation to the present virtue of Massachusetts Bay."—(*American Archives*, 4th series, vol. 1, p. 446.)

In all this sympathy there is strength. But in the cause itself there is angelic power. Unseen of men, the great spirits of History combat by the side of the people of Kansas, breathing a divine courage. Above all towers the majestic form of Washington, once more, as on the bloody field, bidding them to remember those rights of Human Nature for which the War of Independence was waged. Such a cause, thus sustained, is invincible.

The contest, which, beginning in Kansas, has reached us, will soon be transferred to a broader stage, where every citizen will be not only spectator, but actor; and to their judgment I confidently appeal. To the People, now on the eve of exercising the electoral franchise, in choosing a Chief Magistrate of the Republic, I appeal, to vindicate the electoral franchise in Kansas. Let the ballot-box of the Union, with multitudinous might, protect the ballot-box in that Territory. Let the voters everywhere, while rejoicing in their own rights, help to guard the equal rights of distant fellow-citizens; that the shrines of popular institutions, now desecrated, may be sanctified anew; that the ballot-box, now plundered, may be restored; and that the cry, "I am an American citizen," may not be sent forth in vain against outrage of every kind. In just regard for free labor in that Territory, which it is sought to blast

by unwelcome association with slave labor; in Christian sympathy with the slave, whom it is proposed to task and to sell there; in stern condemnation of the Crime which has been consummated on that beautiful soil; in rescue of fellow-citizens, now subjugated to a tyrannical Usurpation; in dutiful respect for the early Fathers, whose aspirations are now ignobly thwarted; in the name of the Constitution, which has been outraged—of the Laws trampled down—of Justice banished—of Humanity degraded—of Peace destroyed—of Freedom crushed to earth; and in the name of the Heavenly Father, whose service is perfect Freedom, I make this last appeal.

APPENDIX.

SPEECH OF DANIEL LORD.

Delivered in the Broadway Tabernacle, May 30th, 1856.

WHY is it that the people are gathered here in thousands to-night? It is not because they require information; it is not because they need to be told what has been done. No! It is because they know what has transpired, and desire to express their opinions and give their decision upon it, and upon the rights and privileges and principles involved. It is not the name of Brooks that gives importance to this occasion. Let that name be sunk. It is not the name of SUMNER, great though that name is. Let even that name be sunk when the principles involved are to be considered. It is the fact that a Senator of the United States has been stricken down while in his seat upon the floor of the Senate chamber, that gives interest and importance to this occasion. And it is in view of the fearful importance of that act that we are to express what we think of Free Speech, a Free Press, and Free Thought. It is a question of order or anarchy; of law or lawlessness. The audience do not require to be told what has been done, and they know in general how important are the principles involved; but that you may know generally what it *means*, I will read from a debate, introduced into the Senate by Mr. Slidell, on the death of a member of the House of Representatives.

It was at such a time and on such an occasion that *the man* from South Carolina went into the Senate chamber—a place where treaties are made—where debates are not to be conducted by young men—a place for the exhibition of mental, and not physical strength. It was there that he went to do an act of violence. He found a man there who had grown prematurely old, in consequence of the nature of his labors—and what did

he do? I will read to you what he did, from the statement of Senator Sumner. The Senator said:

"I attended the Senate as usual on Thursday the 22d of May. After some formal business, a message was received from the House of Representatives, announcing the death of a member of that body from Missouri. This was followed by a brief tribute to the deceased from Mr. Geyer, of Missouri, when, according to the usage and out of respect to the deceased, the Senate adjourned at once. Instead of leaving the Senate chamber with the rest of the Senators on the adjournment, I continued in my seat, occupied with my pen; and while thus intent, in order to be in season for the mail, which was soon to close, I was approached by several persons who desired to converse with me; but I answered them promptly and briefly, excusing myself for the reason that I was much engaged. When the last of these persons left me, I drew my armchair close to my desk, and with my legs under the desk, continued writing. My attention at this time was so entirely drawn from all other subjects, that, though there must have been many persons in the Senate, I saw nobody. While thus intent, with my head bent over my writing, I was addressed by a person who approached the front of my desk,—so entirely unobserved, that I was unaware of his presence until I heard my name pronounced. As I looked up, with pen in hand, I saw a tall man, whose countenance was not familiar, standing directly over me, and at the same moment caught these words: 'I have read your speech twice over, carefully; it is a libel on South Carolina, and Mr. Butler, who is a relative of mine.' While these words were still passing from his lips, he commenced a succession of blows, with a heavy cane, on my bare head, by the first of which I was stunned so as to lose my sight. I saw no longer my assailant, nor any other person or object in the room. What I did afterwards was done almost unconsciously, acting under the instincts of self-defence. With head already bent down I rose from my seat, wrenching up my desk, which was secured to the floor, and then pressing forward, while my assailant continued his blows. I had no other consciousness until I found myself ten feet forward, in front of my desk, lying on the floor of the Senate, with my bleeding head supported on the knee of a gentleman whom I soon recognized by voice and man-

ner as Mr. Morgan, of New York. Other persons there were about me, offering me friendly assistance, but I did not recognize any of them. Others there were at a distance, looking on and offering no assistance, of whom I recognized only Mr. Douglas, of Illinois, Mr. Toombs, of Georgia, and I thought, also, my assailant standing between them. I was helped from the floor, and conducted into the lobby of the Senate, where I was placed upon a sofa. Of those who helped me here I have no recollection. As I entered the lobby I recognized Mr. Slidell, of Louisiana, who retreated; but I recognized no one else, until I felt a friendly grasp of the hand, which seemed to come from Mr. Campbell, of Ohio. I have a vague impression that Mr. Bright, President of the Senate, spoke to me while I was on the floor of the Senate or in the lobby. I make this statement in answer to the interrogatory of the Committee, and offer it as presenting completely all my recollections of the assault and the attending circumstances, whether immediately before or immediately after. I desire to add, that besides the words which I have given, as uttered by my assailant, I have an indistinct recollection of the words 'old man;' but they are so enveloped in the mist which ensued from the first blow, that I am not sure whether they were uttered or not."

On the cross-examination of Mr. Sumner he stated that he was entirely without arms of any kind, and that he had no notice or warning of any kind, direct or indirect, of this assault.

Here, then, we have a man going into the Senate, not to carry out any public object, but because, in his private opinion, a relative of his had been seriously spoken of, and saying to a Senator, "I came to deal you a blow." And that blow was dealt—not one, but many—until a Senator of the United States lay weltering in his blood upon the floor of the Senate chamber. Could a case be presented in which would be more distinctly presented the destruction of Senatorial privilege of free speech and of free thought? It is not my vocation to load with epithets, and I will not do so now. I came with you, only to say what should be acted upon, and what we should tell such men hereafter awaits any similar act of theirs. But in arriving at an adequate idea of the danger to be apprehended from such an act as that of Brooks, it is proper and of the utmost import-

ance to know in what light it is viewed by Senators themselves. [By way of ascertaining that, he read from the explanation of Senator Slidell, when that Senator said he had not spoken with Senator Sumner for two years, and therefore he did not think he was in a position to express sympathy.]

Here was a Senator of the United States, who saw his brother Senator stricken down, and because he had not spoken with him for two years, did not think he was in a position to express sympathy. Was that, I would ask, the character of a public man? Was that the proper feeling for a Senator? Was that common humanity? Why, if it were my worst enemy that lay bleeding, I cannot conceive it in my nature, nor in yours, to pass him by without one sympathizing look. Senator Slidell had not spoken to Mr. Sumner for two years, and therefore he was not in a position to express sympathy.

Then there came Senator Douglas with his explanation. His first impulses were, so he said, to go in and restore quiet. Senator Douglas not having the hot blood of the South in his veins, was inclined to be conservative. But he feared his motives might be misconstrued, so he did not interfere. Another Senator saw his brother wounded upon the floor, and did not interfere, because he feared *his* motives might be misconstrued. I would tell Mr. Douglas, that when a man was being beaten by another in the manner in which Senator Sumner was beaten by the man from South Carolina, he might interfere to "restore quiet" without danger of having his motives misconstrued.

I will now introduce to you another Senator, a gentleman that I know in private life to be a man of liberal mind and of courteous manner. I am at a loss to know how such a man could agree in sentiment with the other Senators I have named, in reference to the striking down of Senator Sumner. But so it was. Senator Toombs corroborated the statements of Slidell and Douglas. He approved of the act, and had no disposition to interfere, at least not in aid of Senator Sumner. This was a man representing the best he knew in social life. How is it that he could look with such an eye upon the reign of brutality in the Senate? I cannot answer, unless it was because of the unwholesome atmosphere that pervades Washington. I am unwilling to say that such is the spirit of the South: that slavery—base in

itself—debases *all* who come in daily contact with it. I cannot believe that the South, at large, would coincide with Mr. Toombs. I call upon you to think of it *as it is*. It may be that the taint is all-pervading—more so than we are willing to believe.

Again, there is the statement of Senator Butler, the uncle of the nephew. He had just arrived, and had said that had he been present he would have taken all the responsibility that had been taken by his *gallant* nephew. *His gallant nephew!* This, then, is what is called chivalry. It was the custom among the Romans, when an act of disgraceful violence had been done, to express their disapprobation of it by calling it "Punic chivalry." I think that hereafter, in order to give a proper name to such acts, we shall have to call them "*South Carolina chivalry.*" I think it well to look for a moment at what the Senate has done in the matter. The effect of it depends very much upon what the Senate thinks of it as a body—what *they* think of their privileges. What *are* their privileges? Protection to them simply as men? No! because they are *Senators*. A protection similar to that given to the sailor under our flag—an important, a necessary protection; for without it their freedom as law-makers is at an end. It is *our* privileges that make the Senate chamber sacred. These Senators are the judges of their privileges—the exclusive judges. When, therefore, Senator Sumner made his speech, if the Senate did not deem his remarks improper, no one outside had a right to judge. But one outside has judged, and accompanied his judgment by an outrage upon the privileges of the Senate. If the President, feeling offended at something that had been said, had marched to the Senate with a file of marines, it would have been a revolutionary act; and was the act of Brooks less an outrage than such an act would be?

But the subject has a still graver aspect. It has been said by the Committee that the Senate has no power to defend its privileges. This has been said, while it has been decided that every great deliberative body has the power to protect itself: they say, however, that they have no power to adjudicate upon it—that it must go to the House. Do they mean by that, that there is no greater protection in the Senate chamber than in a private parlor? If so, then there is an end to this government. Can they not interfere when there has been a breach of privilege?

No, not even when the laws of the land have been violated! And they were not violated by an outrage in the Senate! The House could not even try a man who killed a waiter in a hotel because its privileges were not violated by that act. Where, then, is the protection to Free Speech and Free Thought?

If such is the correct view, the Senate is lost, and if the Senate is lost, the Union must also fall. I stand here alarmed at that weak portion of the Union because of its madness; for it depends alone upon the Senate, and if the privileges of the Senate are to be without protection, when can its privileges be secured? For in the duties of a Senator many a nephew must be affected; and I would ask, are *nephews* to govern the country?

In conclusion, I would say to you that you must *mark* the men who looked coldly on when such outrages were done. There are seventy thousand men on whom the politicians cannot calculate except upon the most important occasions. *This* is such an occasion; and I hope they can be calculated upon with safety to proscribe such men at the ballot-box.

REMARKS

Made at the Indignation Meeting in Boston, May 24th, 1856.

REMARKS OF GOVERNOR GARDNER.

Governor Gardner, on taking the Chair, said this was not a personal ovation. We come here as citizens of Massachusetts, simply and solely because a senator of Massachusetts has been assaulted, with a grossness and brutality which history, until now, has never had written upon her pages. This was not a party meeting; if so, he would not, as Governor of Massachusetts, sanction it with his presence. [Cheers.] He would consider himself recreant to his duty were he not to meet on an occasion like this, with his friends, to give utterance to his sentiments. He referred to the occasion when Senator Sumner last addressed the citizens of Boston, from this rostrum, against himself (Gardner), who was then the candidate of an opposite party to that to which Mr. Sumner belonged, and he thanked the Committee,

who, by requesting him to preside on this occasion, had given him an opportunity to rise superior to party prejudice. While Mr. Sumner is in the Senate, he would do all in his power and ability to strengthen his arm and aid him in his official duties. [Renewed cheers.] In years gone by outrages have been committed in Congress, aye, even murder committed by its members, but this is the first time that a senator has been struck down, in his seat, in the Senate chamber. We now call upon Congress to expel the assailant from the Halls of Congress. [Cheers.] The Governor animadverted briefly upon the harsh invective and opprobrium that prevailed among all parties, which, to some extent, has engendered the bitter personal feelings between opposing political factions. [A few persons in the gallery, thinking this referred to Mr. Sumner's late speech, commenced hissing, but were effectually drowned by repeated cheers, and Mr. Gardner continued.] He said the question before us was, shall a senator from Massachusetts be denied the indulgence in debate, and in the same manner, that sixty other senators are allowed. The Governor then alluded to the speech of Mr. Sumner as being far less objectionable than many that have been made by others in the halls of Congress, and concluded by saying, that when the just and equitable rights of our Massachusetts representatives were denied them, that he who would not rise in opposition to such proceedings is not worthy of the rights he enjoys. [Tremendous cheering.]

The President then introduced Judge Russell, who read the following

RESOLUTIONS.

Resolved, That we have heard with deep grief and indignation of the brutal assault on our esteemed Senator, Charles Sumner, for words spoken in debate, and of the insult offered in his person to the honor of our Commonwealth.

Resolved, That in this outrage we see new encroachments upon freedom, new violations of State rights, and a strange disregard of chivalrous principles, while in the conduct of such men as Senator Crittenden we gladly recognize proofs of the fact, that in all sections of the country there are men of high honor, of pure principles, and of true patriotism.

Resolved, That this attack is to be rebuked, not only as a cow-

ardly assault upon a defenceless man, but as a crime against the right of free speech and the dignity of a free State.

Resolved, That as American citizens, we deeply lament the odium which such acts cast upon our country and upon the cause of republicanism throughout the world.

Resolved, That although sixty-eight members of the national House of Representatives have voted that they think no inquiry regarding the outrage is necessary, still we feel confident that Congress will free itself from the same crime, by expelling the offender from the seat which he has disgraced.

Resolved, That we regard every blow inflicted upon our Senator as a blow aimed at us; that in our estimation his wounds are honorable wounds; that as citizens of Massachusetts, without distinction of party, we pledge him here, in old Faneuil Hall, our sympathy and support in the fearless and independent discharge of his duty.

REMARKS OF HON. JOHN C. PARK.

Hon. John C. Park, in seconding the resolutions, said he came here entirely divested of party feelings, as a citizen of Boston. Every hour, by every railroad train and by telegraph, we receive tidings of spontaneous outbursts from all our neighboring cities, and the city of Boston, true to her cherished principles, will not be backward in an expression of indignation at this great outrage. He claimed that the citizens of Boston were a law-loving people, a law-abiding people, and in proof of this assertion stated that it was but two years previous to the day Mr. Sumner was beaten down so cowardly in the Senate chamber, that the citizen soldiery of Massachusetts were displayed in force to show our adhesion to constituted law. [Sensation.] He denounced the attack upon our senator as an unwarrantable exhibition of brute force. If free speech and free discussion are not to be granted, our forefathers landed at Plymouth Rock for no purpose; our fathers at Bunker Hill, and South Carolina's fathers at Yorktown, bled in vain. If free speech is to be beaten down, then Webster and Clay and other patriots labored in vain. [Cheers.] From the time of the Reformation to the liberty (enslavement?) of free Kansas, free speech had been baptized in blood. The speaker concluded by saying, that if South Car-

olina will ignore this base outrage, committed by one of her sons, she will find that Massachusetts, now as of old, is ready to meet her, and again unite in fraternal bonds. [Cheers.]

REMARKS OF HON. GEORGE S. HILLARD.

Hon. George S. Hillard said he came to the meeting as a citizen of Boston, in the broadest acceptation of the term. The moral effect and significance of this meeting will be just in proportion as it is kept clear of party issues. Assaults in Washington are not rare [laughter], but the assault which we have met to condemn greatly exceeds in malignity all former ones. The principle that a man can resort to personal violence to redress a private wrong, we all most emphatically repudiate. There is no palliation for the offence. The assault was not a hot-headed one, for he had at least one sun to set upon his wrath. The attack was cowardly in the extreme, and the act was that of an assassin. We come together to-night to express our sympathy with our now prostrate senator. It is not that he is a member of any party, but that he is a representative of the State of Massachusetts, that we tender him our expressions of sympathy. In conclusion, he expressed his detestation of the act, and would calmly record his unqualified indignation against the outrageous proceeding. [Great applause.]

REMARKS OF HON. E. C. BAKER.

Hon. E. C. Baker, President of the Senate of Massachusetts, was then introduced. He said: "Fellow-citizens of Boston, fellow-citizens of Massachusetts—Of what do you complain? It is because Massachusetts has been stabbed through her senator." He then referred, in indignant terms, to the assault, but counselled coolness and moderation, relying upon the future that the right might triumph.

REMARKS OF HON. CHARLES A. PHELPS.

Hon. Charles A. Phelps next addressed the audience, and made a spirited and truly New England speech. In the course of his remarks he said he hoped the people of Massachusetts would teach the federal government that there is a Massachusetts as well as a federal government, and that she will have

her rights. This was received with the most tremendous cheering.

REMARKS OF HON. SAMUEL H. WALLEY.

Hon. Samuel H. Walley, formerly member of Congress, was the next speaker. His remarks were highly appropriate, and were enthusiastically received. He concluded as follows: "I believe that the blows which fell upon Mr. Sumner will, in the results they will bring about, make us a more united and a more happy, because a more free people."

REMARKS OF COL. A. D. BREWSTER.

Col. A. D. Brewster was received with hearty cheers. He said he was prepared to make a clean breast of it. [Cheers.] Under the flag of our country, floating over our National Capitol, a senator of Massachusetts had been cloven down by a dastardly coward. He trusted that a voice would go forth from Faneuil Hall to-night that would shake the country from battlement to foundations. [Cheers.] He knew not what course others might take, but as for him, give him liberty or give him death. [Enthusiastic applause.] He also quoted the remark of Webster, that there was a blow to give as well as to take, and said, "If it comes to that, fellow-citizens, I say, let it be war to the knife, and the knife to the hilt." [Terrific cheers.] If the South wants to play at that game, let her remember that two can play at it. [Cheers, and cries of "That's it."] The duty of the North is to arm to the teeth, and submit no more to such indignities as have been heaped upon her. [Repeated cheers, and cries of "Good, good."] He concluded by counselling firmness on our part, and when the time does come, the North would come out of the battle as she did in the times that tried men's souls, with victory perched upon her banners. His remarks throughout were warmly endorsed by the immense audience.

Col. Brewster was followed by John A. Andrew and Peleg W. Chandler, when the resolutions were unanimously adopted, and at 11 P. M. the meeting adjourned.

SPEECH OF REV. DR. HAGUE,

At the Indignation Meeting in Albany, June 6, 1865.

Mr. President, it has been asked, in the spirit of ultra-conservatism, why should a clergyman leave his pulpit and the peaceful routine of his profession, to mingle with statesmen and civilians upon any occasion touching which the opinions of the community may be divided? Why should he thus hazard his influence for the spiritual good of men with any class or party? Recently, ex-Governor Washburn, of Massachusetts, in declining to attend a meeting of this character, gave, as his excuse, that he did not feel at liberty to commit the Law School of the University with which he is connected to any thing that might be deemed a party measure; and the Hon. Edward Everett, also, has assigned as a reason for non-attendance under similar circumstances, that he had retired from public life! But, sir, it has been aptly asked, had he also retired from private life? [Applause.] By a strange combination of events, the great principles that lie at the basis of public and private welfare are in jeopardy throughout this country; and I promptly answer your call to unite in public action with my fellow-citizens on this occasion, because I would not have it supposed by any human being that I would be the minister of a Christianity that is capable of indifference to evils so momentous. [Applause.] When freedom of speech is struck down in the Capitol, when that liberty which is dearer than life is assailed by many hands, let the opinion prevail that Christianity has too high and too holy an office to take any part in the contest, or to lift aloud the voice of her testimony, and at once she "resents the foul indignity, claps her wings and takes her flight, leaving nothing in her room but a base and sanctimonious hypocrisy!" [Applause.] If a pagan audience in a Roman theatre could feel one electrical thrill produced by that celebrated line of a noble poet, "I am a man, and am indifferent to nothing that affects humanity," surely it is fitting for me to say in this presence—I am a Christian minister; and since the fortunes of humanity are intrusted to my country, I am indifferent to nothing that affects her destiny. [Applause.]

Mr. President, I will not detain you, nor my fellow-citizens here assembled, by any elaborate description of the outrages and the shocking enormities that have been committed in Washington and Kansas, which have elsewhere been subjected to a searching analysis, and commented upon in terms of honest, indignant reprobation. Our hearts have been stirred to their depths by a perusal of these blood-stained records; our slumbers have been disturbed by frightful visions of the homes of freemen wrapped in flames; of the smouldering ruins of prosperous towns, and of families robbed of their hard earnings by hordes of border-ruffians, sustained and stimulated to deeds of violence by a national administration, whose complicated policy, like a wiry net-work moved by the hundred-handed giant of ancient story, has been so extended and contracted as to "crush out" the young communities who sought a peaceful settlement upon the unoccupied soil of Kansas.

While moved with grief in view of these calamities and of this national disgrace, a voice of eloquent remonstrance reaches us from the nation's Capitol. An honored senator, a scholar, a gentleman, well versed in the rules of debate, rises in his place, traces the rise and progress of this lawlessness, and charges the responsibility attached to it upon its real authors and supporters. Surrounded by men who met his calm gaze with glances of defiant wrath, and under the eye of a presiding officer able and ready to resist the least infringement of the rules of parliamentary debate, he, nevertheless, bore himself with an unsurpassed dignity, commanded their attention, and gained a moral victory. But the arrows of truth rankle in the hearts of his enemies. After the hour of adjournment he still retains his chair, bends down over his manuscript, and plies his pen in order to prepare his letters for the mail; and there, in all the unsuspiciousness of an honest heart, while performing his duty, he is suddenly felled by a stealthy blow from the bludgeon of an assassin, and the floor of the Senate chamber is stained with gore! From that hour to this that bloody stain hath put forth a voice, and like the blood of Abel, hath called to heaven and earth for avenging justice. It shall not call in vain! [Applause.]

But then, Mr. President, let us be assured, it is not merely

sympathy with the personal sufferings of men, women, and children in Kansas, that stirs the spirit of the North, and fills this hall to-night with a throng of indignant men. It is not merely sympathy with the personal wrongs of Charles Sumner, as the gallant defender of these injured people, that draws multitudes together in assemblies like this, from the Atlantic to the great Lakes. Oh, no! Sympathy with personal wrongs is a mighty principle, but it does not develop itself after this fashion. But, sir, these things are the SIGNS of a more portentous evil that lies away back of this whole array of atrocities. In the person of Charles Sumner freedom of speech has been struck down, and in the palliations as well as in the applause that followed it, the reign of ruffianism has been inaugurated and proclaimed at the national Capitol. The people see in this series of outrages a deliberately formed conspiracy against liberty—a conspiracy to employ ruffian force in conjunction with the overwhelming power of the general government, to subserve the ends and aims of an audacious slavery propagandism. [Applause.]

Does any one ask, sir, why these things are so—why border-ruffianism is triumphant, and why the temple of liberty has been desecrated by deeds of infamy that would bring disgrace upon the veriest despotism on the earth? Sir, this state of things has an instructive history; and in one important particular, public opinion needs to be rightly directed by a clear view of the facts of that history. Public opinion, guided by the lights of southern politics, has been, for some time, accustomed to attribute the origination of all our troubles connected with slavery to the fanatical abolitionism of the North, exciting the South to fanatical reactions. But this statement of the case comes from a very narrow view of the past. History will not justify it. I wish to call the attention of every man in this house, who may be interested in our civil history, to the statements I am about to make on this point, for it has sometimes been seen that even men of learning, well read in their country's annals, in relation to this subject, have been misguided by erroneous and unjust impressions. It has often been said that Massachusetts was the prolific source of that fanatical abolitionism which irritated, galled, and alarmed the South; but the truth is, South Carolina became, *first of all*, the genial hot-bed of that pro-slavery fanat-

icism, which has, for the last quarter of a century, agitated the whole country, startled it from hard-earned repose by the announcement of revolting doctrines, by gigantic schemes of slavery propagandism, and by reckless efforts for the attainment of supremacy. South Carolina, who now applauds her sons while wielding bludgeons in their ruffian war upon free men and free speech, has been the original plague-spot upon our body-politic, whence has proceeded that fatal virus that has diffused poison through all its veins. [Applause.]

Yes, Mr. President, you often hear it said by us conservatists (for I claim to have a place in the ranks of conservatism), [laughter], that to the abolition-ultraism of Massachusetts, which as an organized force is now about twenty-five years of age, is to be attributed all the agitation which has since shaken the republic to its centre. But, sir, the organized fanaticism of pro-slavery had an earlier birth than that, at the South, and was developed in fulness of form before Garrisonian abolitionism had produced the slightest stir in the country. If any one doubt this statement, let him turn to the pages of such a work as the African Repository; let him look at the number for the month of October, 1830, and he will find the leading article, "An Appeal to South Carolina." It is an able article. It was written by a southern man; it was published at Washington, with the approbation of many southern men. It contains an argument addressed to the chivalrous little State against the course she had been *previously* pursuing in banishing from her borders all the agents of the American Colonization Society, on the ground that even their cautious efforts for gradual emancipation were hostile to the permanent interests of slavery, and it closes with a solemn warning against the fearful consequences of adopting a policy which involved the idea of the perpetuation of the slave-system. To that appeal South Carolina would not listen. Here she stood before the world an embodiment of pro-slavery fanaticism, muffling the trumpet of free speech within all her boundaries, although its notes fell only upon the ears of white men; and from that time she has moved forward with steady step in her bad career, until her policy has become predominant—until the moral sense of neighboring States has become debauched by her doctrines—until the federal government has become subservient

to her bidding—until territory consecrated to freedom has been filched from its rightful owners—until the Senate chamber has been stained with blood shed by her applauded ruffianism—until freemen, who deem it barbarous to carry pistols or bowie-knives, tamely *whisper* their honest sentiments at the corners of the streets in the National Capital! This terrible *regime*, which has now issued in a reign of terror at Washington, originated, not in Massachusetts, but in South Carolina. [Applause.]

But, sir, this South Carolinian policy did not represent, twenty years ago, the spirit of the South. It was not a Virginian policy; it was not a North Carolinian or a Georgian policy. Kentucky, the home of Henry Clay, Tennessee, and other States, favored the humane sentiment of gradual emancipation. These States still honored the names of Washington, Jefferson, Franklin, and the men who framed the ordinance of 1787. It was said by Senator Corwin, in his celebrated speech of 1848, that there were not to be found three counties in the State of Virginia, that had not expressed their desire, by public resolutions, that the Western Territories should all be settled by agriculturists, mechanics, artisans, by free proprietors, and not by a race of slaves. Such was the spirit of the Old South. But there has now sprung into being a Young South, scouting the doctrines of their fathers, madly set upon wielding the sceptre of a great slave-power, from the Atlantic to the Pacific, and yielding themselves as willing captives to grace the triumph of this rampant South Carolinianism. [Applause.]

And what, sir, are the chief elements which distinguish this policy of South Carolinianism? It is distinguished, sir, by a *sentiment* and by a *doctrine*. Its leading sentiment is the SCORN OF FREE LABOR. Its leading doctrine is that SLAVERY IS A GOOD THING, SANCTIONED BY CHRISTIANITY, THE PERMANENT BASIS OF THE SOCIAL SYSTEM, TO BE PERPETUATED AND EXTENDED. South Carolinianism looks down with contempt upon those who rise to fortune by their own energies, or those who proceed from the loins of men who have cut their path to distinction by their own hands. Alas, what an insult to Senatorial dignity was perpetrated when men of blood and ancestry were expected to acknowledge the equality of Gen. Wilson, whose sobriquet with them was "the Natic Shoemaker!" Had they not suffered enough from the

North before, when men of trade, who had sprung from behind the counter, had been seated at their side? Senator Butler felt indignant that he had been compared to Don Quixote. But Don Quixote would have been ashamed to have been deemed a champion to enslave and not a champion to emancipate. [Applause.] Mediæval chivalry was not like the modern chivalry. Don Quixote, not the Senator, might, with good reason, have objected to the comparison. [Laughter.]

Mr. President, under the reign of this South Carolinianism, the state of things at Washington, so far as freedom of speech is concerned, is getting to be as bad as it is at the capital of Austria. I remember when in Vienna, some years ago, to have heard of a young Englishman who ventured to say, in a Café, "I love tea." He spoke in German, and I know not exactly how he pronounced or mispronounced the German phrase for that fine sentiment; but it sounded in the ears of an Austrian officer there present somewhat like *Liberty!* The stranger was tapped on the shoulder with this ominous warning: "You must not talk about Liberty here!" [Laughter.] That seems all right in Austria. But now at Washington, Senator Sumner, having spoken of LIBERTY, was not gently accosted by an officer of the law, and cautioned against his temerity, but he was brutally assailed by an armed ruffian, and, in the very sanctuary of the Republic, felled to the floor! That is all right at Washington, respond the chivalry! [Applause.]

Mr. President, it is the duty of this meeting to respond to that dastardly blow, and to express its just demand that the man who did this thing should be expelled from the House of Representatives. [Applause.] Morality, Religion, Freedom, the struggling Democracy of the Old World as well as the real Democracy here, require this act of atonement at the hands of the Representatives of the people. [Applause.]

But further, sir, in the territory of Kansas, the people should have been left unmolested by the border ruffians, who have invaded their free soil. Whatever may be said or thought of "Squatter Sovereignty," about which I might but will not now make an argument—the settlers should have been secured fair play by the men in power. [Applause.] But this they have not had; and this they are not likely to have under the present ad-

ministration. But, sir, we should not forget them in their hour of need. We should sustain them in their struggle; for all that is worth living for, as citizens and as men, is bound up in the sacred principle for which they are contending. With them, in this holy contest, let us stand, whether it be for life or for death. [Loud applause.]

Sir, if this South Carolina propagandism shall succeed, and we, for any reason, acquiesce in its ascendency—if Free Speech in Congress and Free Men in Kansas shall be cloven down, and we cry "Peace," "Peace," over the sacrifice, a state of things will be brought about which will not only prove that all manhood has gone out of us, but which will make us a by-word to all people, and render it impossible for us to look, without a blush, in the face of any civilized nation. [Applause.]

George Bancroft, the historian, is no extremist. Conservatism breathes through every line of his writings. Yet, in his miscellaneous works he has produced an essay—the ablest which ever emanated from his pen—to prove that the fall of the Gracchi was the fall of Rome. The Gracchi desired to elevate their country by dividing up her immense landed estates. They wished to raise up a free proprietorship, so as to identify the mass of the people with the welfare of the country. The principle which they advocated was called "agrarianism"—even now a term of reproach. It was, however, a principle the success of which would have saved Rome. But the aristocracy crushed the Gracchi, and Rome fell. Alison embodies the same idea in his remark, that Rome fell because she was filled with proprietors who had no courage to defend their lands, and with slaves, who had no lands to stimulate their courage; and this was true.

In these ideas of these two eminent historians, there is much that is applicable to our own present condition. The policy of South Carolina propagandism is to wrest free soil from free labor —to break up the system of small landed proprietorships, which is one of the most important elements of Northern prosperity; and, after the slave soil of the old States is exhausted, to take possession of the virgin soil of the new territories, and, like the aristocracy of Rome, to occupy it in large estates, and by preventing their possession by small proprietors, render this nation what Rome became under a like system, but a hollow shell, hav-

ing no internal strength and susceptible of being crushed by the first assault of an invading power. [Applause.] This is the fate with which we are threatened by this system of propagandism. If not checked, it will become a mill-stone around the neck of the nation—an angel of destiny to sink us, like Rome, down and down into the vortex of ruin, to rise no more forever. [Applause.]

Mr. President, the elements of the power of our country are its free institutions—its almost universal land proprietorship and free labor. Who can think of the destruction of these elements (and they will be destroyed if this propagandism prevails) without exclaiming, "Let not mine eyes behold it," and in reference to the agencies by which this ruin must be, if it be at all, consummated, "Come not, my soul, into their secret." [Applause.]

An emperor of Rome once did a queer thing. He made his horse a consul. A distinguished man was once asked what kind of a people they must have been to have borne such a disgraceful exhibition of imperial power? "What kind of a people were they?" was the reply: "why, they were just such a people as we are; and it was not until he saw that he had people which would bear such an indignity that he offered it." By gradual downward steps, the people of Rome became prepared for any humiliation; and when this horse was declared their consul, they did not *feel* that it was an indignity. Sir, the people of this country may fall from their present high estate. If they shall neglect to repel the encroachments of the propaganda—if they shall not say to South Carolinianism, "Thus far shalt thou come, but no farther"—the law of gravitation will soon bear us down to so low a depth, that we will accept, from some insolent President, not, perhaps, a horse for a consul, but some Brooks or Butler for a Secretary of State. [Laughter and applause.] If such a humiliation should be offered us, it would be because, by our pusillanimous conduct, in submitting to and acquiescing in every encroachment and wrong which South Carolina and her Southern adjuncts and Northern allies might impose upon us, we would prove that we were prepared for it.

Mr. President, in conclusion, permit me to say, that I, with all my heart, approve the resolutions which have been read to us, and commend them to the favorable suffrages of the meeting.

Let them be adopted by all means; and let the voice of the people of the North, in view of what is passing around us, be heard in tones loud as the voice of many waters, crying out against the sacrilege perpetrated in our National Senate Chamber, and against the series of encroachments and outrages which have strewed, with violence and bloodshed, the pathway of a noble and manly people. [Applause.] Justice demands it. The dignity of our manhood demands it. The sacred principle o free speech demands it. And it is demanded by the inalienable rights of man, by our free institutions, and by the enduring glory of our beloved land.

The speaker retired amid the long-continued applause of his hearers.

SPEECH OF REV. DR. HALLEY,

At the Indignation Meeting in Albany, June 6, 1856.

This has been termed an indignation meeting; and do not the circumstances under which we meet warrant the term? As *men*, do we not feel indignant that the treatment which is due alone to the brute, should have been inflicted on one of our species? [Applause.] As *citizens* of this enlightened republic, should we not be indignant that in the nineteenth century, and in the Capitol of our country, has been perpetrated an outrage worthy of a Mandarin in China, or the despotic autocrat of Russia? [Applause.] And as *Northerners*, do we not feel indignant that one of our enlightened statesman—a man of refined taste, consummate talent, and commanding eloquence, should, for his generous philanthropy, and while within the sanctuary of justice, be beaten, bruised, and almost murdered—while the conduct of the cowardly caitiff who did the deed, is almost universally approved by that section of our country to which he belongs? [Applause.] Can we sit unmoved under such indignities? Are we to permit the majesty of law to be profaned—the interests of humanity sacrificed, and the constitutional rights, which were purchased with blood, to be invaded thus ruthlessly? To remain silent under provocation like this, would be to hang up a defamatory

label on the institutions of our country—to make our forefathers blush on their thrones of glory for their degenerate offspring, and will only prepare for loading us with deeper insults and abuse. [Applause.] And if this flagrant outrage does not lead to prompt and momentous action, I fondly trust that the South will continue to scourge and oppress us, as we deserve, beyond the utmost pitch of human endurance. [Applause.]

Sir, let us look at the case. The right of free, unshackled discussion, is a necessary element in the liberty of any country. No evil can arise from the full exercise of this. I would even give full freedom to every one to express his sentiments on religious subjects. [Applause.] Some conscientious persons are alarmed lest the vital interests of religion should be endangered by the sophistry and wit with which it is assailed. It is a groundless, unholy, and pernicious fear. Error alone has reason to recoil from investigation. Truth only becomes the more impregnable the longer it is assailed. [Applause.] How strikingly does this appear from the whole history of the Infidel controversy! The speculations of these writers called out, for the defence of Christianity, a host of advocates, unrivalled for their profound learning, powerful reasoning, and philosophical analysis—the Lelands and the Lardners, the Warburtons, the Paleys, the Watsons—who have demolished entirely the arguments of their opponents, and laid the controversy forever at rest. No writer of eminence now has the audacity to throw down the gauntlet as the advocate of infidelity, and those precious defences of Christianity owed their existence to the freedom allowed in religious discussion. [Applause.] And should not equal latitude be allowed on every subject connected with the interests of society and the rights of humanity? Is it not the guilty alone that need fear discussion, while truth and good order are sure to emerge from the collisions of debate? [Applause.] This right of free discussion has been so dearly valued that poets have sung it, patriots have toiled for it, martyrs have died in its defence. It is so essential to the moral dignity, the elevation, the happiness, and progress of society, that to arrest it would inflict as serious a calamity on our species, as to bottle up the rain in the clouds, or put an entire extinguisher upon the sun. [Applause.] Accordingly, it is the policy of every tyrant, not only to stop the

liberty of the press, but also free oral discussion among his subjects, respecting the measures of government. And with this view, spies glide like serpents into the secrecies of the domestic circle, and a system of detestable espionage, through the medium of police and other vile emissaries, prevails, which destroys the confidence of society, and makes man a coward and a dastardly slave. And shall we ever arrive at this crisis—under the sun of American liberty, on a soil watered with blood, and where our mountains, valleys, and lakes are associated with the valiant struggles and devoted heroism of our forefathers, shall we lose this invaluable birthright? [Applause.] Why, my hearers, if this daring outrage is permitted to go unpunished, and if the conduct of senators at Washington, in their lenient strictures, be regarded as the pulse of public opinion, I cannot be sure of the result, unless you stand (will you not?) as vigilant sentinels over the liberties of your country, and rescue them from the grasp of unprincipled politicians. [Applause.]

A senator, in the proper discharge of his legislative duties, had been discussing a grave question connected with the future destiny of a new territory recently peopled, and because he had the manliness openly to declare his sentiments on a question obnoxious to others, a bully lays him prostrate with a stick on the floor of the hall of legislation. Nor is this the worst feature of the case. Senators calmly looked on and applauded, or but faintly condemned this unconstitutional invasion of their rights, and the whole Southern press, with scarcely an exception, is sounding the praises of the ruffian in pæans of unqualified admiration. And this is not the first nor the second instance of a similar outrage that has been there recently perpetrated. Rome trembled when Catiline rejoiced. [Applause.]

Fellow-citizens, watch over your liberties, and especially the right of free discussion, for it is the corner-stone of the edifice of liberty. Charles I., of England, once attempted to destroy it. He went into the House of Parliament with a band of soldiers, resolved to intimidate certain independent spirits. And how did the nation feel at this violation of the rights of their representatives? Why, sir, it was like an electric shock over the whole English nation. One simultaneous roar of indignation was heard from Dover to Newcastle. The bells of the city were

rung—the beacon fires were lighted—the train-bands of London, the miners of Cornwall, the yeomanry of Kent, buckled on their armor to resist this unhallowed invasion of their right; and they laid it not aside till they had hurled the tyrant from the throne, brought him to the block, and wiped out the atrocity of his attempted crime in his blood. [Long, loud, and reiterated applause.] A nation is safe, as to its rights, when there is such a healthy pulse of public opinion. [Applause.]

Now, sir, I want to know, how they felt at Washington, respecting this recent outrage. When I remember that it is the Capital of our country—the high seat of legislation—the place where the illustrious Washington, Jefferson, and others, presided, forming a galaxy of names to which it is vain to look for a parallel in the palmiest days of the Roman republic—why, sir, at an outrage like this, committed within these sacred precincts, I could almost have imagined that the stones of the street would have cried out for vengeance, and the busts of these venerable champions would have shook on their pedestals, and that loud indignation would have been expressed by every one. A number of these senators met, and, in drawing up a paper to the world, they pronounced it to be "an unfortunate occurrence!" "An unfortunate occurrence!" In retiring from this place on my way home, I stumble in the darkness on a lamp-post, which causes my nose to bleed. This is "an unfortunate occurrence." [Laughter.] Or I am robbed on the way of two dollars, and this, for a clergyman that belongs to a class always proverbially poor, is an "unfortunate occurrence." [Laughter.] And—oh shame!—when justice is insulted in the hall of legislation, and a vital blow is aimed at the liberties of our country, no severer epithet can be found to reprobate it, than that it is an "unfortunate occurrence!" Things are rotten and out of joint in the state of Denmark, when such a crime receives not even the shadow of condemnation, but is called simply an "unfortunate occurrence." [Applause.]

Sir, with the idea of palliating, if not wholly of vindicating the conduct of this caitiff, it has been alleged that the speech of Mr. Sumner furnished strong provocation. This, to some degree, was the opinion of the gentlemen who preceded me. Now, sir, I find none. I have carefully perused it, and find it to be not only

instructive in its historical details, eloquent in its language, logical in its deductions, and cogent in its appeals, but strictly within the proprieties of parliamentary usage. There is wit, indeed—salient wit—keen irony—at times, scorching sarcasm; but who does not know that ample latitude is allowed to a public speaker on exciting themes; while there is nothing in it that approaches within a thousand degrees of the vulgarity and billingsgate and blackguardism of the senator from Illinois—the man whom the South has, but no longer, delighteth to honor. [Laughter and applause.] In the discussions to which this event has given rise, one paper refers to the speech of the late Daniel Webster, in reply to Hayne, and regrets that Mr. Sumner did not adopt it as his model. Now, every one that has read that speech (and who has not read it?) will remember that it contains passages of deepest sarcasm, and especially when he represents Hayne, in defiance of the law, proceeding to the custom-house with a band of militia, "sonorous metal, blowing martial sounds," the trumpeter holding his breath while his soldiers are questioning him respecting the constitutionality of the act, and deterred from any overt act from the consideration that the hemp-tax might be worse than even the tariff itself. This piece of delicate pleasantry passed unchallenged; and why, sir? Not because the allusions were not equally severe to a sensitive mind, as to Don Quixote, but because the mind of the North was more erect and less cowed than it is since. [Applause.] The South has become haughty and domineering, because her interests are almost exclusively consulted. She chains us to her car, and leads us wherever she will. Administrations must be upset, cabinets dissolved, tariff and anti-tariff laws made, Missouri compromises and Nebraska bills, Fugitive Slave laws and Kansas insurrections, must be constantly heaving up our country on the waves of political agitation; and so insolent has she become, that when one of our honored representatives from the North, manfully opens his mouth and utters his dissent to those measures, in language not more strong and impassioned than the occasion warranted, he must be struck down like a brute beast, and this ruffianly conduct extolled through the territories of the South. [Applause.] Is this to be borne? Shall it be borne any longer? Has it not been borne with too long? And, oh! sir, when I look

at the present condition of Kansas, with a soil fertile to exuberance, and presenting every facility for the industrious emigrant, with his family, to settle down, and am told that with the view of gratifying this grasping cupidity of the South, its infant liberties must be strangled, and its infant prosperity blasted, its thriving villages fired, its fields trodden down, and its inhabitants flying in every direction to save themselves from armed ruffians who are doing their foul deeds of violence with the sanction and to advance the interests of the South;—why, sir, we are the slaves, if we permit these atrocities to go on unchallenged, and may adopt the language of Cassius respecting Cæsar: "The south, it doth bestride the world like a colossus, and we petty men walk under its huge legs, and peep about to find ourselves dishonorable graves." [Applause.]

Sir, while I am ashamed and sorry at this outrage on the constitutional liberty of our country, in one sense I rejoice at it. It has been beautifully said that when the cup is full, a single drop will make it overflow. It can do no injury to the learned senator. It will only plant fresh laurels around his brow, and carry his name down among the revered martyrs for liberty to future times. But I rejoice for the salutary influence it will exert upon the North. [Applause.] We were becoming too supine, and though recent events were stirring up the public mind, we required some startling, impressive fact to waken us up to our duty, and we have got it. [Applause.] Contempt, it is said, will pierce the shell of an oyster. With what just indignation, then, should we be seized when we see the North, in one of its noblest and most eloquent advocates of freedom, struck down on the floor of Congress, as a butcher would strike down an irrational animal; and the South sending forth her reams of parchment applauding the villanous act! [Applause.] Sir, that blow, though dealt by a ruffian's arm, was wisely timed. The blood which followed that blow is precious blood. Every drop of it, like the blood of Abel, cries aloud for vengeance [Vociferous applause], and says—

Who will be a traitor knave,
Who will fill a coward's grave,
Who so base as be a slave,
Let him turn and flee. [Applause.]

Sir, I look at the subject in another light. Every one who is anxious to advance the interests of morality and virtue, must mourn at the repetition of such scenes. They are lowering the standard of public morals, and corrupting the tone of public sentiment. Within a few months, four acts of an alarming and outrageous character have occurred in the same city; and do not scenes of such frequent occurrence go down into the depth of society, pollute our associations, poison the springs of national virtue, and infuse into our youth reckless and dissolute habits, by habituating them to the view of blackguardism and crime as enacted in the highest courts of our country? Need we wonder that crime is so awfully prolific, that assassination and murder should be so frequent, when it is thus obtruded, constantly, upon our view? Aye, and when it is endorsed and applauded by so many as abettors? Sir, let us think what a flood-gate of crime we are opening upon our country, if such practices are not summarily and forever arrested. Why, sir, society would become disorganized; law would be an empty name; and might, not right, would have the ascendency.

Franklin once said, "When you have got a principle, in order to be satisfied of its soundness, carry it out." Let us Franklinize the principle of Brooks, that when a man conceives himself injured, he takes club-law. A clergyman (my beloved brother, Dr. Hague, for instance) preaches a pointed sermon to his parishioners. One of them thinks that some of his remarks bore a personal reference. On the following day he walks behind him on the street, and with the stroke of a bludgeon, lays him flat, saying, "That's for your impertinence yesterday." An editor of a newspaper indulges in some satirical remarks on the measures of his opponents. One of these comes into his office on the following day, and gives him a blow on the head while writing at his desk, which renders him insensible. As soon as animation is restored, the bully goes up to him and tells him, "You did not injure me, sir, but it was my uncle!" [Laughter and applause.] It is still further proved, that there were a number of associates, all countenancing the public outrage. The editor takes him to a court of justice, and while he firmly states his wrong, the said "uncle" now confronts him, and exclaims, "You are a liar!" [Laughter.] The bully has got friends at court, and after hear-

ing the cause, the judge dismisses the parties by the summary verdict that it was "an unfortunate occurrence!" [Laughter.] Gentlemen may laugh, but if such scenes are to go down through the graduating scale of society, polluting our courts of justice, infecting our schools, and regulating the intercourse of life, to what are we to come? Every house will require to be carefully guarded as a prison, and every man become a policeman; Colt's revolvers—manufacture them as rapidly as you will—will be too few for the peace of society, and the streets of our city will constantly exhibit some one wallowing in a pool of blood.

Sir, in the name of that God, whose creature I am—in behalf of that Gospel which I have the honor to preach—for the safety of our domestic hearths, the prosperity of our schools, the purity of our courts of justice, the salvation of our country—I pray effectual arrest may be put to the occurrence of such disgraceful scenes, or the pillory, the gibbet, the prison, the press, the pulpit, the school-house, will all be employed in vain to curb the excesses of crime, and save the fabric of American society. [Loud applause.]

And what is the remedy for this? Brooks of course must be ostracized; for to permit such a man any longer to exercise the office of a legislator, would be to outrage the feelings of the whole Northern community. But will that allay the discontent, and sweeten the intercourse between the northern and southern sections of our country? I am afraid not, sir.

The honorable gentleman who preceded me, pronounced a glowing eulogy upon the Union, and upon the fathers by whom that Union was founded. He spoke of their patriotism and their bravery. Sir, my heart responded to every word uttered in their praise. But for what did they fight? for what did they found this Republic? Was it not to secure to themselves and to their posterity, forever, safety of person, liberty of speech, and freedom of the press? [Applause.] Is not their memory dishonored, and the fruits of their labors despoiled, when a representative of the people is bludgeoned with impunity, and when, in his person, the freedom of speech is trampled in the dust? [Loud applause.] But, sir, I am not advocating the necessity of the dissolution of the Union, but things are portending such an issue. A Union formed between two discordant interests is neither

healthy nor reputable. It reminds me of a Roman mode of punishment, where a dead person was chained to the body of a living criminal, and the fetid, festering mass of corruption he was compelled to drag with him wherever he went. I will never advocate the dissolution of the Union, but I pray God that the other party will keep at a distance from us. [Applause.] We know enough of their code of honor, of their morality, of their courtesies, not to desire their intimate acquaintance. I envy them not their luxuries and ease, their sunny skies and extensive plantations, for when with these I think of the laxity of public morals, and the indolent habits they form—of the system of terror in which they constantly live—of the general ignorance that prevails; and in view of the dissolute habits which exist there, rather than have their luxuries with their vices, I say with the country mouse—

"Give me again my hollow tree,
My crust of bread, and LIBERTY!"

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